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A

HISTORY OF ENGLAND

FROM 1815

VOL. IV.

A

HISTORY OF ENGLAND

FROM THE

CONCLUSION OF THE GREAT WAR IN 1815

BY

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AUTHOR OF 'THE LIFE OF THE RIGHT HON. SPENCER PERCEVAL'

37700

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PREFACE.

An author who undertakes to write a long history is exposed at the outset of his task to a considerable dilemma. If he delay its publication till the whole is finished, he is more likely to produce a work calculated to deter readers from its bulk than to attract them from its completeness. If, on the contrary, he decide on publishing it in instalments, he is liable to the charge that his narrative is imperfect, and that he has omitted facts an account of which he has perhaps merely deferred.

In the present work an attempt has been made to avoid this difficulty by making each instalment of it, as far as possible, a complete whole. The period with which the author had to deal lent itself to this treatment, and the object which he had in view was promoted by this arrangement.

It was the purpose of the three first volumes of this History to group the events with which they were concerned in intelligible sequence, and to trace them to their true causes. It was shown in the first volume, which may be called the History of Reaction, that the causes which had arrested reform in the closing years of the eighteenth century endured after the peace, and continued to affect legislation and politics till the com-

mencement of the reign of George IV. It was shown in the second volume, which may be called the History of Reform, that repressive measures were attended with their usual effect, and produced a violent agitation for remedial legislation, which resulted after the death of Castlereagh in the Reform of the Criminal Code under Peel; in the Reform of Foreign Policy under Canning; in the abolition of Tests; in the emancipation of the Roman Catholics; and in the first Reform Act. It was shown in the third volume, which may be called the History of the Decline and Fall of the Whig Ministry, that the completeness of these reforms stimulated a Conservative reaction: and that the Government was only able to remain in power by consenting to the sacrifice of the measures which ought alone to have made power worth having.

In the meanwhile, however, the apathetic conduct of the Whig ministry again led to a desire for fresh changes; and the singular anomaly occurred that the people were bent on new reforms and were, at the same time, determined to get rid of the Government which was supposed to represent the party of Progress. Hence arose the remarkable fact that, in the eight most important years of the century, whose history relates the Triumph of Free Trade, the victory was achieved at the instance, or with the support, of a statesman who had been associated throughout his career with the Conservative party, and who was the chosen champion of the principles which he happily abandoned.

Free trade secured its crowning victory, protection experienced its final defeat, in the rejection of Disraeli's second Budget of 1852, and in the adoption of Mr. Gladstone's Budget of 1853. It seemed consequently

desirable to bring down the narrative of domestic history to this point. But 1853 did not form an equally convenient halting-place in the case of foreign affairs. The Crimean War was the logical result of the policy of the British Foreign Office from 1835 to 1841, and from 1846 to 1852. That policy cannot be properly understood without describing the causes and the consequences of this war; and the narrative of external relations has accordingly been carried down to the Peace of Paris.

But the relation of the domestic and foreign policy of England forms only a portion of British history in the forty years which succeeded Waterloo. In those years a great Company conquered a mighty empire for the British Crown; and successive swarms of colonists occupied and peopled territories which, in a near future, may be more wealthy and even more populous than British India. It was impossible in the present work to attempt to give an exhaustive account of the transactions of the British in India, or of the growth of the Colonial Empire of England. But an effort has been made in three chapters of the fifth volume to emphasise the characteristic features of the policy of successive Governors General, while, in a succeeding chapter, stress has been laid on the causes which led to the foundation and to the growth of the rising colonies which Englishmen have founded in the great island of the Southern Hemisphere.

The main lessons deducible from the history which has thus been related are briefly stated in a concluding chapter. In the present place it is unnecessary to dwell upon them. But it may be desirable to anticipate a possible criticism by pointing out a radical distinc-

tion between the methods which must be pursued by the historians of past centuries and the historian of the nineteenth century.

The author who attempts to narrate the history of former ages usually finds the difficulty of his task increased by the scantiness of his materials. His work from this circumstance becomes one of research, and he has painfully to decipher mouldy manuscripts and faded documents for the facts on which his story must be founded. But, as the historian reaches a more modern period, his difficulty is increased not by the want but by the abundance of matter. Newspapers, Parliamentary documents, memoirs, and other publications crowd upon him in increasing volume; and he is compelled, instead of pressing every contribution into his service, to winnow, as a preliminary duty, the chaff from the grain.

In consequence of the increasing volume of his materials, a modern historian occasionally adopts the expedient of citing no authorities as the basis of his text. By so doing he undoubtedly evades criticism. The author who quotes no work cannot be charged with neglecting any source of information. But, though this course saves the author much trouble and frees him from much hostile comment, it is not likely to be productive of the same advantage to his readers. A work which invariably cites the authorities on which it relies may at least claim that it may point the way for future research, and afford even the critic the opportunity which he desires of testing the accuracy or exposing the inaccuracy of its author.

Without then attempting to cite every possible authority, the author of these volumes has adopted three

rules for his own guidance. He has uniformly endeavoured to cite original documents or works of proved authority; he has given the preference to those works which he believes to be most accessible to ordinary students; and, where he has only touched in his text on matters, which his readers may care to examine more closely, he has tried to help them in their further labours by references to the works which may assist them in their researches.

The labour inseparable from this course will partly account for, and may perhaps excuse, the delay which has taken place in the completion of this work. But the publication of the present volumes is not inappropriate to the present time. When England is preparing to celebrate the fiftieth anniversary of her Sovereign's accession to the throne, it may serve some useful purpose to dwell on the social condition of her people at the commencement of the present reign. Those who will contrast the account which the author has endeavoured to give of the England of that time with their knowledge of the England of to-day, will perhaps share the author's conclusion that the true monument of the present reign is not to be found in its military successes, its colonial development, or even in its industrial achievements, but in the moral and material progress which the people have almost constantly made.

GOVERNMENT HOUSE, ISLE OF MAN:
July 1886.

CONTENTS

OF

THE FOURTH VOLUME.

CHAPTER XVII.

	PAGE
The Effects of the Reform Act of 1832	1
The Character of the reformed House of Commons	2
The increased Length of Debates	3
The Multiplication of Parliamentary Documents	3
The increased Number of Petitions	4
The greater Publicity of Parliamentary Proceedings	6
The Publication of Division Lists	7
The Provision of a Ladies' Gallery	9
Oratory in a reformed Parliament	10
Peel and Russell	12
Stanley, Macaulay, and O'Connell	13
Parliamentary Manners	14
Private Business	15
Extravagant Speculations	17
The Formation of Joint Stock Banks	18
The Institution of Limited Liability	19
The Commercial Crisis of 1836	20
The general Fall in Prices after 1815	21
The Distress of the Working Classes	22
The Dwellings of the Poor	22
The abject Poverty of the Poor	26
Aggravated by the Corn Laws	27
The Prevalence of Disease	28
The Poor Law of 1834	29
Agitation against it	30
Mr. Disraeli	32
The Struggle on the Poor Law	34
Truck	35
Labour of Women and Children in Mines	37

PAGE
The Ignorance of the Working Classes 39
The Remedies proposed 40
Robert Owen 41
His Factory at New Lanark 42
The Chartists 46
The History of Chartism 47
The Progress of Chartism after 1838 49
The Chartist Leaders 51
The Rejection of the Chartist Petition 52
The Riot in the Bull Ring at Birmingham . . . 53
The Chartists checked 56
The March of the Chartists upon Newport . . . 57
The Trial of Frost 58
The Corn Laws 60
The Acts of 1815 and 1822 61
The Act of 1828 62
The Corn Law League 63
Motions in Parliament for the Repeal of the Corn Laws . 65
Efforts outside Parliament for their Repeal . . . 66
Emigration and Education 68
The Spread of Humanity 70
The Slave Trade 70
Dogs prohibited from drawing 72
The Treatment of Criminals 73
The Increase of Crime 75
The Causes to which the Increase was due . . . 76
The Causes which checked its growth 76
The Institution of an efficient Police Force . . . 79
Transportation 80
The Convict's Lot 81
Select Committees on Transportation 84
The Probation System of 1842 85
Modified in 1847 86
Transportation abandoned 86
Counsel for Prisoners 87
Imprisonment for Debt 89
Bankruptcy 90
Insolvency 91
The Abolition of Imprisonment for Debt . . . 93
The Soldier 95
The Sailor 95
Impressment 96
The Distribution of Medals and Prize Money . . . 98

PAGE
Regimental Libraries 99
Flogging in the Army and Navy 100
The Press gang abandoned 103
Duels 105
The Judges and the Duel 106
Juries and the Duel 108
Lord Cardigan and Capt. Tuckett 109
The Repression of the Duel 112
General Characteristics of the Period 113

CHAPTER XVIII.

The Formation of Peel's second Administration . . 115
The Difficulties of Peel 116
His first Measures 117
The Session of 1842 118
The Corn Laws 118
Mr. Gladstone 120
The Budget of 1842 123
The Revival of the Income Tax 124
The Relaxation of Protection 125
Debates on the Budget 126
The Distress of the People 131
The Cost of Protection 132
The Summer of 1842 134
The Effects of a warm Summer on Prices . . . 135
The Strikes of 1842 136
The Increase of Distress 138
The Shrinking of the Revenue 139
Attack of the Tories on Peel 140
The Canada Corn Bill 141
The Attack of the Liberals on Peel 142
Peel declines to modify the Corn Laws . . . 143
The Budget of 1843 145
The Revival of Trade 146
The Conversion of Three-and-a-Half Per Cent. Stock . . 147
The Budget of 1844 149
The Alteration of the Sugar Duties 150
The Bank Charter Act 152
Banking in Great Britain 153
The Formation of Joint Stock Banks 154
The Committee of 1836 on Banking 156

PAGE
The Crisis of 1836 157
The Views of Peel on Banking 158
His Bill of 1844 158
The Act of 1845 159
The Bank of Ireland 159
Banking in Scotland 160
The Budget of 1845 161
The Tariff purged 163
Glass 164
The Auction Duty 165
Cotton, Wool, and Sugar 166
Increasing Distrust of Peel 167
Disraeli's Attack upon Peel 169
The Distress of the Agricultural Classes . . . 173
Renewed Activity of the Corn Law League . . . 174
The Improvement of Trade 176
The Development of Railway Enterprise . . . 178
Its Consequences 179
Steam at Sea 179
The Tool Makers of the Nineteenth Century . . . 180
The democratic Effects of Steam 181
Electricity 182
Thales 184
Gray 185
Dufay 185
The Leyden Jar 186
Galvani 186
Volta 186
Oersted 187
Ampère 188
Faraday 188
The Telegraph 189
Ireland 190
The Poor Laws 191
Bastardy 193
Settlement 193
Employment of Women and Children in Mines . . 194
Education 196
The Factory Bill of 1843 197
The Factory Act of 1844 199
The Ten-Hours Clause 200

CHAPTER XIX.

PAGE
Ireland 206
The English and Irish Views of the Irish Question . . 206
The Characteristics of English Legislation towards Ireland . 208
The Consequences of Emancipation 208
Ireland and the reformed Parliament 209
Association in Ireland 210
The Treatment of O'Connell in London . . . 211
The Poverty of the Irish 213
Due to the Increase of Population 213
Causes of this Increase 214
The Absence of Coal in Ireland 214
The Relief Act of 1793 215
The Potato 215
Absentees 217
The Disfranchisement of the 40*s*. Freeholders . . . 219
The Agitation for the Repeal of the Union . . . 221
The Agitation revives in 1842 223
The Doctrine of Nationality 224
Father Mathew 225
The Position of Peel 226
Sugden and the Irish Magistrates 228
The Arms Bill 229
The Policy of Coercion 232
Smith O'Brien 233
Troops in Ireland 235
The Meeting at Clontarf prohibited 236
O'Connell shrinks from the Contest 237
The Trial of O'Connell 238
His Conviction 240
The Judgment reversed by the Lords 241
The Effect of its Reversal on Ireland 242
O'Connell's Death and Character 243
Peel's Irish Policy 244
Irish Railways 245
Morpeth's Bill for promoting Irish Railways . . 245
Charitable Bequests Act 246
Changes in the Irish Government 247
Maynooth 248
Anger of the Country at the increased Grant to Maynooth . 250
Mr. Gladstone resigns Office 252

PAGE
Middle-Class Education in Ireland 253
The Devon Commission 255
Stanley's Irish Land Bill of 1845 257
The Bill withdrawn in the Lords 258
Potato Disease in 1845 259
Its Consequences 260
Peel's Change of Opinion 262
The Cabinet meets 263
The Edinburgh Letter 265
Peel resigns 266
Russell invited to form a Ministry 267
Peel resumes Office 268
The Mutiny of the Dukes against the Ministry . . 269
Parliament meets 271
Peel's Proposals 273
The Irritation of the Tories 274
Lord George Bentinck 275
The Proceedings of the Protectionists 276
The Coercion Bill 277
Irish Crime 279
Obstruction in the House of Commons . . . 280
Renewed after Easter 281
The Corn Bill becomes Law 283
The Coercion Bill defeated 285
Peel retires 286
The Results of Free Trade 287

CHAPTER XX.

The Formation of the Russell Administration . . . 290
Its Composition 291
Alteration of the Sugar Duties 292
The State of Ireland 295
The Famine 296
Measures for dealing with it 297
Their Failure 298
The Discontinuance of Relief Works 299
The Organisation of Relief Committees . . . 300
The Western Highlands 301
The Famine in Western Scotland 304
The Irish Poor law 305
The Encumbered Estates Act 307

PAGE
Bentinck's proposal for assisting Irish Railways . . 308
The Budget of 1847 309
Parliament is dissolved 310
The Commercial Crisis of 1847. 312
The Bank Charter suspended 320
Renewed Outrages in Ireland 325
Fresh Measures of Coercion 327
Somerville introduces an Irish Land Bill . . . 328
The Revolution of 1848 329
Smith O'Brien 329
Fresh Measures of Coercion 330
The Habeas Corpus Act Suspended 333
The Rebellion of 1848 334
The Chartists in 1848 335
Feargus O'Connor 335
The Collapse of the Chartist Movement . . . 336
The Panic of 1848 337
The first Budget of 1848 339
The second Budget of 1848 342
The Disabilities of the Jews 343
Disraeli becomes Leader of the Protectionist Party . . 344
Bentinck and the Sugar Duties 345
The third Budget of 1848 346
The fourth Budget of 1848 347
The returning Prosperity of the People . . . 348
The State of Ireland 349
The Consequences of Irish Distress on England . . 351
The National Rate in Aid 352
The Rate in Aid Bill passed 354
The Irish Poor Law Amendment Bill 355
Differences between Lords and Commons upon it . . 355
The Commons give way 356
The Navigation Acts 357
The Acts repealed 361
The State of Ireland in 1849 363
The Battle of Dolly's Brae 363
The Queen's Visit to Ireland in 1849 365
Fresh Irish Measures 365
The Relief Bill 365
The Irish Franchise 366
The Viceroyalty 367
The Weakness of the Government 371
Agricultural Distress 371

PAGE
The Budget of 1850 372
Peel's Support of the Ministry 374
His Death and Character 375

CHAPTER XXI.

The Functions of History 382
The Religious Movement of the Nineteenth Century referable to pre-existing Causes 384
The Effects of the Reformation comparable with the effects of Constantine's Conversion 385
Christianity and Paganism 386
Milton and Homer 387
The Growth of Doubt the chief Consequence of the Reformation 389
The Rise of Rationalism 389
Galileo 390
The Telescope enlarges Man's Ideas of Space . . . 391
Kepler and Newton 392
Descartes 393
Doubt and Deism 394
The Church of the Eighteenth Century . . . 395
The Effects of the French Revolution on Religion . . 397
Jealousy of Rome in England 398
The Bible Society 399
Geology 400
The Attack on the Establishment 402
The Party of Resistance 403
The Party of Reform 403
The Ecclesiastical Policy of Peel 404
The Wealth of the Church and its unequal Distribution . 405
The Bishops 406
Their Wealth and Patronage 407
Non-Residence 408
The Ecclesiastical Commission 409
Pluralities 410
The Ecclesiastical Courts 411
Church Discipline 412
The Nonconformists 414
The Universities 415
Church Rates 415
The Braintree Case 417
Unitarian Chapels 417

PAGE
The Controversy between Freethought and Religion . . 418
Oriel College, Oxford 419
Mr. Newman 420
Richard Hurrell Froude 421
Wilberforce 421
The Origin of the Oxford Movement 422
Keble's Assize Sermon 424
The Tractarians 425
Tract XC. 426
Its Condemnation 427
The Jerusalem Bishopric 428
Ward's 'Ideal of a Christian Church' 429
Pusey 430
The Secession to Rome 430
Excitement and Agitation in the Country . . . 431
The Broad Church 431
Hampden 432
His Appointment as Regius Professor 433
His Appointment as Bishop of Hereford . . . 434
The Gorham Judgment 436
The Durham Letter 438
Convocation 439
General Effects of the Oxford Movement . . . 439
The Observance of Sunday 440
Sunday Travelling 444
Sunday Letters 445
Theatres in Lent 446
The Resemblance between the Ten Years' Conflict in Scotland and the Tractarian Movement 447
The History of the Reformation in Scotland . . . 448
The Claim of the Scotch Church 449
Episcopacy in Scotland 450
Patronage in Scotland 452
Persecution in Scotland 454
Scepticism in Scotland 454
The Act of 1712 455
Robertson 456
Chalmers 457
His Views on Pluralities 459
The Effect of the Reform Act 460
The Call 461
The Veto 462
The Chapel Act 462

PAGE
The Auchterarder Case 464
Aberdeen's Non-Intrusion Bill 468
The Marnoch Case 469
The Duke of Argyll's Bill 470
The Change of Ministry in 1841 471
The Claim, Declaration and Protest 472
The Secession 474
The Connection between the Tractarian and Disruption controversies 475
The Scotch Movement marked by the greater Earnestness . 476

CHAPTER XXII.

Aberdeen at the Foreign Office 479
The Boundary of the United States 480
Award of the King of the Netherlands upon it . . 481
Which is rejected by the United States . . . 482
And ultimately by England 483
The Arrest and Release of Greely 485
The 'Caroline' 486
McLeod's Case 487
The Right of Search 489
Palmerston succeeded by Aberdeen 491
Lord Ashburton's Mission 492
The Ashburton Treaty 494
The Oregon Dispute 495
France 501
The Tahiti Incident 502
Thouars and Queen Pomare 503
Thouars' action ratified 504
Pritchard restores Pomare's Authority . . . 504
The Society Islands annexed to France . . . 505
Pritchard's Arrest 506
Excitement in England 507
The Settlement of the Dispute 508
Algiers 509
Ill Success of the French 510
Complications with Morocco 510
The Bombardment of Tangiers 512
The *Entente Cordiale* 512
The State of Spain 513
The Mission of M. de Salvandy 514

PAGE
The British Minister at Madrid 514
The Spanish Marriages 515
The Candidates for the Queen's hand 517
Bulwer and Bresson 519
The Crisis in the British Ministry in 1845 . . . 520
Guizot's Memorandum of the 27th of February, 1846 . . 521
Aberdeen's Despatch of the 22nd June . . . 522
Palmerston returns to the Foreign Office . . . 523
His Despatch of the 19th July. 524
The Marriages celebrated 525
Cracow. 528
Its Annexation to Austria 529
Portugal 531
The Revolt of 1846 531
Saldanha's *Coup d'Etat* 532
Wylde's Mission 533
Dom Miguel 535
Palmerston offers to Interfere 535
The Debates on his Policy 536
Switzerland 537
The Jesuits 538
The Sonderbund 539
The Victory of the Diet 539
Italy 540
The Election of Pius IX. 541
His Liberal Policy disliked by Metternich . . . 542
But supported by Palmerston 543
Lord Minto's Mission 544
Disturbances at Milan 545
The Fall of Louis Philippe 546
Reform in France 547
The Political Banquet in Paris forbidden . . . 548
Lamartine 548
The Revolution of February 549
The Fall of Guizot 550
Bugeaud in command 550
The Abdication of Louis Philippe 552
The Formation of a Provisional Government . . . 553
The Flight of Louis Philippe 553
The Effects of the Revolution in England . . . 554
And in Austria and Italy 555
The Overtures of Austria to England 558
The Difficulties of Italy 559

PAGE

The Reconquest of Lombardy by Austria . . . 560
Piedmont appeals to France 561
The State of France 561
British and French Mediation 562
Revolution in Hungary 563
Magyar and Slavonic Jealousy 564
The second Revolution in Vienna 565
The Accession of Francis Joseph to the Throne . . 566
Increasing Excitement in Italy 566
The War resumed 567
Palmerston's Italian Policy 568
Russia interferes in Hungary 569
The Hungarians defeated 569
Palmerston's Policy towards Hungary 570
Austrian Reprisals 571
Hungarian Refugees in Turkey 572
The Demand for their Extradition 572
The Greek Revolution in 1843 574
Mr. Finlay's Claim 574
Other Claims 576
Don Pacifico 577
The British Fleet sent to Greece 578
Its Operations 578
The Mediation of France 579
The Renewal of Coercive Measures and their Success . . 581
Drouyn de Lhuys recalled 581
The Lords censure Palmerston 582
The Commons approve his Policy 582
The Great Exhibition 583

INDEX 587

HISTORY OF ENGLAND.

CHAPTER XVII.

The effects of the Reform Act.

THERE are periods in the history of every nation when the historian may usefully interrupt his narrative to review the general tendency of the reforms which he has chronicled, or the general effects of the measures which he has related. Such a halting-place occurred on the final fall of the Whig Ministry. For nearly nine years the United Kingdom had been governed by a reformed Parliament. The electors enfranchised by the Act of 1832 had received three opportunities—in 1832, 1834, and 1837—of choosing their representatives. Three Parliaments, chosen on three separate occasions, had run their course. Three examples had consequently been given of the disposition and peculiarities of a reformed House of Commons. The Tories could test by the result the true worth of the fears which they had expressed in 1831; the Liberals could determine how far the expectations which they themselves had formed had been realised. The time for prophecy was over: the time for examining the value of prophecy had come.

No one could doubt the consequences of such an examination. The hopes of extreme Radicals, the fears

CHAP. XVII. 1841.

of timid Tories, had been equally disappointed. The convulsion which shook society in 1832 soon subsided, and the political atmosphere resumed its customary calm. For two sessions, indeed, the great forces, which had operated in 1832 retained their power; and nervous persons were alarmed at seeing the rapid accomplishment of the reforms which distinguished the Grey Administration. But these forces soon lost their influence; Tory Lords,[1] on finding that a reformed Parliament deprived them neither of their peerages nor of their estates, recovered their equanimity, and even ventured on displaying their power and their intolerance. An unreformed House of Commons had compelled the Peers to give way in 1832; a reformed House of Commons submitted, from 1835 to 1841, to the modification of its best measures by the Lords.

It is easy to explain the indifference which a reformed House of Commons displayed to the conduct of the Peers. An unreformed House of Commons had compelled the Lords to give way in 1831, because it had been influenced by the excitement of a determined people. A reformed House of Commons failed to compel the Peers to give way after 1835, because the people had relapsed into apathy. But it would be a grave mistake to infer, from these circumstances, that the cause of progress had gained little or nothing from the reform of Parliament. On the contrary, the whole character and conduct of Parliament had been modified by the Reform Act. The reformed House of Commons was largely recruited by a class of persons who had found no place in the unreformed House. The fashionable young gentlemen, who had been nominated as the

On the character of the House of Commons.

[1] Lord Hertford felt such genuine alarm at the Reform Bill, that he invested 300,000*l.* in America as a provision for his own necessities when he was deprived of his estates in England. It is a curious fact that the State in whose securities Lord Hertford placed his nest-egg repudiated its debt, and that Lord Hertford lost his money.—Raikes's *Journal*, vol. iv. p. 136.

members of rotten boroughs, had been replaced by earnest men chosen by the populous places enfranchised by the Reform Act. Representing not a class, but a people, they brought the House into harmony with the nation. They insisted on receiving a public hearing for their own views; and on obtaining comprehensive information on the many subjects in which they, and those who had sent them to Parliament, were interested. Their determination in these respects produced two results. Parliamentary debates were lengthened to an enormous and, as some people thought, to an inordinate degree; Parliamentary papers were multiplied to an extent which probably no one, who has not had occasion to consult them regularly, has realised.[1]

[1] The multiplication of Parliamentary documents may be stated arithmetically. During the eight years which closed in 1832, there were nine sessions of Parliament; and the papers printed by the House of Commons are contained in 252 volumes. Each year, on an average, produced thirty-one, each session twenty-eight, volumes of blue-book literature. During the eight years which commenced with 1833, the papers of the House of Commons filled 400 volumes, and each year added on an average fifty volumes to the prodigious collection of Blue-books. One commission alone added thirteen huge volumes to the mass of Parliamentary literature. The reports of another commission are said to have weighed upwards of twelve stone. So Walter said in the House of Commons (*Hansard*, vol. lxvi. p. 1167). The debates of the Legislature kept pace with the growth of Blue-books. From the accession of George IV. in 1820 to his death in 1830, the proceedings of the Legislature are reported in the second series of 'Hansard's Parliamentary Debates,' and extend over thirty-four volumes. From the autumn of 1830 to the fall of the Whig Ministry in 1841, the debates of the Legislature are contained in the third series of 'Hansard,' and are collected in fifty-nine volumes. It may perhaps be thought that the increasing bulk of the Parliamentary debates is mainly due to the increased facilities afforded to Parliamentary reporters. But this explanation does not account for the whole increase. The growth of 'Hansard' is not solely due to the greater fulness with which the proceedings of the Legislature are chronicled; it is mainly attributable to the time which a reformed House of Commons devoted to public business. Before the reform of Parliament, no House of Commons had ever sat for a thousand hours in a single session. In 1833 the reformed House of Commons sat for 1,270 hours; in 1837 it sat for 1,134 hours. *Hansard*, vol. xliv. p. 1322.

It is worth observing that the Government, without much cost or labour, could remove the great difficulty which besets every inquirer into modern history. There is no reason whatever why the domestic papers of importance should not be collected year by year into one volume, similar to that which the Foreign Office annually publishes under the title of *State Papers*. There ought to be no

CHAP. XVII. 1841.

Increasing number of petitions.

The increasing length of the debates, and the greater number of speeches, compelled the House of Commons to revise its rules for conducting its business. Up to 1833, any member who had presented a petition to the House had been at liberty to raise a debate upon it. Any member, therefore, who had the capacity and the resolution to do so, might weary out the House and the Ministry by presenting petition after petition, and by raising debates on each petition. It had been reserved for Brougham to demonstrate in 1816 the intolerable extent to which a private member could push this privilege. His incessant exertions procured the repeal of the income tax, but they consumed a large amount of time which could not easily be spared. Fortunately for the comfort of the House, Brougham's example was not generally imitated. The remembrance of it, however, still lingered in the memories of the older members, and made them dread the repetition of a similar abuse. Such an abuse could be more easily resorted to in a reformed House of Commons. In an unreformed Parliament, the House had rarely received 5,000 petitions in one year. In a reformed Parliament, the House frequently received 20,000 petitions.[1] 'The debating of petitions threatened to become' its 'sole business;'[2] and its capacity for work seemed liable to be limited by the discussion of real and alleged grievances. The House, however, did not, at once, venture to adopt the obvious course of stopping debate. Instead of doing so, it de-

difficulty in also reproducing in one volume a full and satisfactory abstract of the Parliamentary debates. The information material to historians would then be collected in three volumes: one devoted to Parliamentary debates; a second to papers on domestic or colonial questions; a third, as at present, relating to foreign policy.

[1] In the five years ending 1789 there were 880 petitions; in the five years ending 1805, 1,026 petitions; in the five years ending 1815, 4,498 petitions; in the five years ending 1831, 24,492 petitions; in the five years ending 1843, 94,292 petitions. *Hansard*, vol. lxxii. p. 152, and cf. *ibid.*, vol. cxiv. p. 139.

[2] Sir E. May's *Const. Hist.*, vol. ii. p. 69.

cided on devoting special sittings on the mornings of two days in each week to these discussions. This plan, however, involved a new and vexatious demand on the time of members, and condemned the petition to be debated in a small House where no one paid much attention to it. After a short trial of two sessions, it was abandoned,[1] and the House, instead of debating petitions at special sittings, decided on discouraging such debates altogether.[2] This decision, however, was not wholly satisfactory. Debates continually arose against the desire of the House, till at last, in 1839, it took the bold step, which it subsequently confirmed in 1842, of deciding that, except in the case of present personal grievance, or of privilege, or where immediate action was necessary, no debate on any petition should be allowed.[3]

This decision relieved the House of Commons from a vast amount of unnecessary debate. But even this decision did not enable the House to transact the whole of the business which it was necessary for it to undertake. The Ministry found it annually more difficult to find time for discussing all the subjects with which it undertook to deal; and private members found every year that there were fewer opportunities for drawing attention to the various subjects in which they were in-

[1] May's *Parl. Practice*, p. 516, cf. Report of Select Committee of 1834, and *Parl. Papers*, 1834, vol. xi. p. 319.

[2] See Speaker Abercromby's remarks in *Hansard*, vol. xxxv. p. 609.

[3] The decision of 1842 will be found in *Hansard*, vol. lxii. pp. 474–488. But another alteration was made at the same time. The income tax had recently been introduced by Peel, and several petitions were presented against it. Peel declared that for 150 years it had been the uniform usage of the House to decline to receive petitions against the imposition of a new tax, and asked the House to adhere to its usage. *Ibid.*, p. 200. He was supported by but a very narrow majority (222 votes to 221, *ibid.*, p. 215), and the Opposition was of course encouraged to renew the struggle (*ibid.*, p. 296). Ultimately, it was unanimously decided to insert a provision in the new Standing Orders respecting petitions, providing for the discontinuance of the 150 years' usage on which Peel had relied. *Ibid.*, p. 477 and 485; cf. *Hansard*, vol. xlv. pp. 156, 197; May's *Parl. Prac.*, p. 516.

CHAP. XVII. 1841.

dividually interested. The members of the Ministry, naturally desiring to obtain precedence for their own measures, struggled to obtain a larger share of the time at the disposal of the House. A weak Government, supported by only a small majority, however, proved unable to secure this advantage, and Ministers were consequently forced to content themselves with two evenings out of every seven.[1]

Increasing publicity of proceedings.

Increased business was one consequence of the reform of Parliament. Another consequence was the increased publicity which was being gradually given to the proceedings of the Legislature. The jealousy of publicity, which had animated Parliament in the eighteenth century, had long since disappeared; and members, instead of resenting the publication of their speeches, were constantly furnishing corrected reports of them themselves. The Lords, in 1833, set aside a particular gallery for reporters; a separate gallery was provided for the accommodation of reporters in the temporary House which was constructed for the Commons in 1834[2]; and permanent provision was made for the representatives of the Press in the new Houses which were subsequently erected. Reporting, indeed, still remained a breach of privilege. Technically any member was entitled to notice the presence of strangers and to demand their exclusion. But this practice had fortunately fallen into disuse, and was only resorted to on rare occasions.

The electors of the United Kingdom were thus enabled to watch the conduct of their representatives,

[1] Russell proposed in 1838 and 1840 that orders of the day should have precedence of motions on Thursdays. He was opposed by Goulburn on the first occasion, and by Peel on the second; and both motions were withdrawn. Mondays and Fridays were, up to that time, the regular Government nights. See *Hansard*, vol. xlii. pp. 597–605, and vol. lii. pp. 612–615: and cf. the Report of the Committee, *Parl. Papers*, 1837, vol. xiii. p. 295, on whose recommendation Russell's proposal was based.

[2] See *ante*, vol. iii. p. 287 note.

and to judge their efficiency by reading their speeches. Only a small minority of the members, however, ever spoke at all; the great majority contented themselves with silently recording their votes for or against the Ministry, and the electors had not yet received any opportunity of ascertaining the votes of their representatives. On important occasions unofficial division lists were indeed published. But these lists were only published when they related to questions of wide public interest, and when the members who took part in the division were anxious that their votes should be known. On ordinary subjects a member might give a silent vote against a measure in which his constituents were interested, without much chance of its attracting their attention or exciting their indignation. The members generally thought that this concealment of their own proceedings was essential to their freedom. In modern language, they regarded themselves as representatives and not as delegates, and considered that their constituents had nothing whatever to do with their votes. This idea was so deeply rooted in the public mind that even a reformed Parliament, in its first session, refused to publish the names of the members who took part in its divisions.[1] Its refusal led to one memorable scene in the House of Commons. O'Connell, anxious to use every means to defeat the Coercion Bill, wrote over to Ireland disclosing the votes of Irish members. 'Young Talbot of Athlone,' so his letter ran, 'voted in both majorities. Learn, at once, what the honest men of Athlone think of the desertion of his country. The two members for the county of Limerick voted also in the majority against Ireland. Is there no honest spirit remaining in that county to call upon the two gallant colonels to retrace their steps?' O'Connell's letter showed the House that its own determination to screen the votes

Publication of division-lists.

[1] *Hansard*, vol. xv. p. 1089.

CHAP XVII. 1841.

of its members from the public gaze could be rendered useless by the conduct of any single individual among them. Irritated Tories, like Stanley—who still indeed belonged to a Whig Cabinet—declared that 'no more flagrant violation of freedom of speech and freedom of thought' had ever come before the House of Commons.[1] The good sense of the majority was not disturbed by Stanley's exaggerated rhetoric. Just before O'Connell's letter the House had refused to publish division lists; at the commencement of the next session it appointed a select committee to consider how their publication could best be made.[2]

Some little difficulty was experienced by the committee in devising an adequate plan for ascertaining exactly how each member voted. In the old Houses, which were destroyed in 1834, many improvements were impossible because there was no room for them. On a division the presumed majority was directed to remain in the body of the House; the presumed minority was told to go into the lobby. Separated in this way, the numbers on each side could be easily counted. The committee thought that without much additional labour the names might as easily be recorded on a sheet of pasteboard or paper. It was computed that 400 names could, in this way, be recorded in twenty minutes; and that only a slight delay would consequently arise from the introduction of the proposal.[3] The plan in the first instance failed. Tried again, on the recommendation of a second committee,[4] in the more convenient chamber erected after the fire, it succeeded; and, from the commencement of 1836, accurate lists of each division have been published under the authority of the House of Commons.

[1] *Hansard*, vol. xv. p. 1290.
[2] *Ibid.*, vol. xxi. p. 239.
[3] See the Report, *Parl. Papers*, 1834, vol. xi. p. 325.
[4] *Parl. Papers*, 1835, vol. xviii. p. 95. *Hansard*, vol. xxxi. p. 565.

The publication of division lists constitutes perhaps a more important landmark in the history of progress than the publication of Parliamentary debates. The instruction of the public was promoted by the one reform; its power was directly increased by the other. The great and intelligent class of society to which Peel appealed in the Tamworth manifesto was able to determine whether its representatives in Parliament did their duty, and reflected the views of those who sent them to Westminster. The electors, however, were not the only persons in the country who had learned to take an interest in the discussions of the Legislature. Women were, for the first time, beginning to plead their right to participate in the government of the country. A petition was presented to the unreformed Parliament on the eve of its dissolution, asserting the right of women to the franchise, and complaining that judges and juries were all men. A Tory baronet disposed of it with a sneer. 'It would be rather awkward'—so he thought proper to argue—'if a jury half males and half females were locked up together for a night.'[1] The sneer probably did not do much harm to the cause of women. Most politicians were, indeed, unwilling to confer the electoral franchise upon them; but most politicians were also anxious that their own wives and daughters should be allowed the opportunity of listening to their speeches. When the erection of new Houses of Parliament became necessary in 1835, a committee was appointed to consider whether arrangements could not be made for the admission of a certain number of ladies to every debate. The committee recommended the construction of a Ladies' Gallery; and the Government undertook to introduce a

The provision of a Ladies' Gallery.

[1] The petition, which is the earliest which I have noticed supporting women's rights, was presented by Hunt. The Tory baronet alluded to in the text was Sir F. Trench. *Hansard*, vol. xiv. p. 1086.

CHAP. XVII. 1841.

vote for the purpose. The proposal of the vote enabled the opponents to reform to rally in defence of existing arrangements; and they succeeded in rejecting it. In 1837, however, the House agreed to an address to the Crown praying it to carry into effect the recommendation which its committee had made two years before. The accession of a Queen to the throne was thus almost simultaneously attended with the return of the ladies[1] to the gallery of the House of Commons.

Publicity was thus one of the distinguishing consequences of Parliamentary reform. Parliamentary speeches were reported with more care; the composition of majorities and minorities was authoritatively communicated to electors; Parliamentary documents were sold at cheap rates to any persons who chose to purchase them; and even ladies were again allowed to attend the debates of the House of Commons. It is doubtful whether the increased publicity which was given to the proceedings of the Legislature had a beneficial effect on Parliamentary oratory. The anticipations which most people expressed before the Reform Act, and which most people possibly even now imagine to have been fulfilled, received in one respect a signal disappointment. The first reformed Parliament contained, no doubt, many respectable citizens more fruitfully endowed with money than with brains, but it also comprised a larger proportion of ability among its younger members than perhaps any new Parliament had ever done before. It was enriched with the historical knowledge of Grote, of Macaulay, and of Mahon, with the imaginative genius of Lytton Bulwer, with

Oratory in a reformed House of Commons.

[1] Up to 1778 ladies had been admitted to the House; and their exclusion from 1778 to 1837 had been due to the bad behaviour of the few ladies who represented their sex on the last occasion on which they had been present. May's *Const. Hist.*, vol. ii. p. 52 note. For the debates on their readmission see *Hansard*, vol. xxix. p. 637, vol. xxx. p. 49, vol. xxxiii. pp. 527, 812, vol. xxxv. p. 1074, vol. xxxviii. p. 1483.

the careful finish of his brother Henry: it was instructed by the sense of Cobbett, it was enlivened by the wit of Charles Buller: it numbered among its lesser luminaries a Tooke, a Molesworth, and a Praed. Nearly all these persons commenced their Parliamentary career in a reformed House of Commons: nearly all of them had acquired a reputation before they crossed the threshold of the Legislature. The reader, acquainted with the varied attainments of these accomplished men, who remembers that at the same time a Follett was elected for Exeter, a Wood for Halifax, a Gladstone for Newark, and that within five years a Monckton Milnes was chosen by some Northern electors, a Disraeli by a Southern borough, will probably conclude that the Reform Act, whatever other consequence it may have produced, had not the effect of driving genius from the House of Commons.

The members, however, who were returned to a reformed Parliament must have discovered that the style of Parliamentary oratory had been changed by the Reform Act. In the reign of George IV. speeches were made in an artificial atmosphere, discussions had only an abstract interest, and the House of Commons resembled a debating society. The chief speakers cared as much for the polishing of their periods as for the cogency of their arguments, and an apt quotation from Horace or Virgil was as much prized as a dozen facts. Quotations from Latin authors were at a discount in a reformed House of Commons. Night after night was often devoted to statistics, to which an unreformed Parliament would have refused to listen; and, instead of searching for illustrations from the classics, members sought for arguments in the 'Wealth of Nations,' or for their facts in Blue-books.[1] They ceased to declaim and they

[1] There is a good story that Wellington once said that he read the

CHAP. XVII. 1841.

laboured to convince. Parliamentary oratory, in one sense, suffered from the change. The principal speakers left off making set speeches carefully prepared, and practised themselves in the art of ready and happy reply. The orator became of less importance than the debater, and the two men who possessed the greatest readiness in debate obtained or maintained the lead of the two great parties in the State. Of the two, Russell was superior to Peel in the skill with which he exposed the weak points of his opponents; but Peel was superior to Russell and to all his contemporaries in the extent of his information, in the breadth of his understanding, and in the accuracy of his memory. Russell was the readier debater, Peel the greater statesman.

Peel and Russell.

It must not, however, be hastily deduced from these circumstances that the age of public speaking ceased with the Reform Act. No mean authority, indeed, declared that the most brilliant period of Parliamentary oratory was that which was graced by Canning, by Plunket, and Brougham.[1] But it may be doubted whether Russell, in recording this conclusion, was not misled by a very natural circumstance. From 1820 to 1827, when Canning, Plunket, and Brougham occupied seats in the House of Commons, Russell's own powers were not matured, and these great orators may have seemed at an immeasurable distance above him. After 1835, on the contrary, the greatest orators of the time submitted to his leadership or contended with him on equal terms, and he naturally hesitated to place them on the level on which he had enthroned the idols of

Latin grammar to find quotations for the House of Lords. On the other side may be quoted the remark of Whately, 'It seems to me that before long political economists of some sort or other must govern the world.' Whately's *Life*, vol. i. p. 67.

[1] Lord Russell, in *Recollections and Suggestions*, p. 55. Sheil admirably described the eloquence of the men in one sentence, 'Plunket convinced, and Brougham surprised, and Canning charmed, and Peel instructed, and Russell exalted and improved.' *Hansard*, vol. xcvi. p. 273.

his younger days. Yet, if it be a distinction to overwhelm an assailant with a rapid impetuous eloquence, the student may be disposed to place Stanley on a level with Canning; if it be a charm to illustrate the clearest reasoning with varied information, and to adorn it with luxuriant language, the student may place Macaulay on a level with Plunket; if passionate invective and withering scorn be the objects of oratory, the student may place O'Connell on a level with Brougham.

Mackintosh once remarked that, if the rank of poets were to be settled by particular passages, Campbell would be placed above Scott.[1] In the same way, if the rank of orators were determined by particular speeches, Macaulay would be placed above either Stanley or O'Connell. Scott, perhaps, never conceived any image so beautiful as that with which the poem on 'Hope' commences, and Stanley never made any speech which was quite equal to Macaulay's two speeches on the Law of Copyright. Yet no competent critic would place Campbell on a level with Scott, or admit that the set speeches which Macaulay delivered entitled him to rank as an orator with Stanley. It is more difficult to determine the relative worth of Stanley and O'Connell as orators, than to decide whether Macaulay was superior to Stanley, or Stanley to Macaulay. Most people would probably award the palm to Stanley. The debates of 1833 would perhaps justify this judgment. Yet the inquirer who will take the trouble to read a dozen of the best speeches of either orator will possibly find cause for modifying his opinion. The eloquence of Stanley, indeed, cannot be easily compared with the invective of O'Connell. Rapid, impetuous, perspicuous, logical, Stanley's declamatory speeches won boundless praise from the sympathising audiences which applauded them. O'Connell's clear, vigorous, scornful rhetoric was addressed to an audi-

Macaulay, Stanley, and O'Connell

[1] *Life of Mackintosh*, vol. ii. p. 82.

CHAP. XVII.

ence which never extended to him its sympathy. In Stanley, the reader is reminded of a torrent bearing all before it; in O'Connell, the fancy pictures an animal at bay against its foes. Stanley, in his greatest speeches, always endeavoured to carry his audience along with him; O'Connell, in his most characteristic bursts, resolutely set them at defiance: 'Men of blood, as you are, then call for blood,' was his bold reproof to the Tories in 1836. 'Oh, sir! let them shout; 'tis a senseless yell!' was his language in 1838. 'Your vices and crimes have driven its (the Irish) people to outrage and murder'—so he charged the English in 1839. 'I tell you that you may be tyrants; but we will not be slaves,' was his declaration shortly afterwards.[1]

The reader, then, who diligently compares the debates of a reformed Parliament with those of an unreformed House of Commons will not be disposed to think that the orators of the later were inferior to those of the former period. But, in one respect, the aspect of the Legislature suffered a great change after 1832. The House was less orderly than of old, and its members were more violent. Violence and disorder were perhaps the inevitable consequences of Parliamentary passion. They rose to an unprecedented height under the feeble rule of Abercromby, and the members, angry with the Government, angry with O'Connell, angry with one another, indulged in language and in sounds which should not have proceeded from English gentlemen.[2]

Manners in Parliament.

These passions were, of course, provoked by the

[1] These extracts from O'Connell's speeches will be found in *Hansard*, vol. xxxiv. p. 77, vol. xlii. p. 1314, vol. xlvi. p. 111, and vol. xlvii. p. 443. It may be doubted whether four equally impressive sentences could be culled from the speeches of any other orator containing so few words which were not Saxon in their origin, or so few of more than one syllable. It is evident that O'Connell did not extend his hatred of the Saxon to the Saxon language, and that when he was most impressive he always used the simplest diction.

[2] See *ante*, vol. iii. p. 519.

debates which arose on the public business of the House of Commons. Public business absorbed the attention of the Legislature, its conduct attracted the attention of the people, the debates upon it were reported in every newspaper. Yet, while the public business of Parliament was increasing in importance and extent, other matters, of less general interest, or which at any rate attracted less general notice, were occupying much of the time of the Legislature. Before the passage of the Reform Act the private business of Parliament was not great, or, at any rate, did not occupy a great deal of time. Every town, indeed, which wished to make a new road, to build a new bridge, to light or pave its streets, to institute a new watch, or to introduce any new improvement, had necessarily to apply for the sanction of Parliament. The leave of the Legislature was requisite to enable the locality to take property which the owner was either unable or unwilling to sell, and to impose the charge of the improvement on the ratepayers of the district. Parliament itself, however, took little interest in purely parochial concerns; and the House of Commons was accordingly accustomed to refer purely local questions to committees of its members. It was decided in 1826 that these committees should consist of 120 members, sixty of whom were supposed to be locally interested in the matter, and sixty of whom were impartial.[1] These committees proved very unsatisfactory tribunals. The sixty members connected with the locality were assiduous in their attendance; the sixty others, who had no connection with it, rarely attended at all. This circumstance, however, was only of slight inconvenience when purely parochial matters formed the chief business of private bill committees. The members connected with a town were at least as

Private business.

[1] *Parl. Papers*, 1839, vol. xiii. p. 102.

CHAP. XVII. 1841.

likely as any other persons to take a liberal view of the improvements which the town desired. The introduction of canals, however, by Brindley, the construction of roads under Telford, and the projection of railways after the opening of the Liverpool and Manchester line, subjected the committees to new tests which had not previously been considered. A canal, a road, or a railway, which passed through perhaps a hundred miles of country, was a national and not a local concern; and the members who sat on the committee to which the proposals were referred were all anxious to promote the interests of some particular locality. In some cases, indeed, rival schemes were referred to the same committee, and the members were interested—were occasionally corruptly interested—in promoting the success of one or other of the plans. It was publicly stated in the House of Commons in 1839 that a member who had regularly attended a committee had received, after the passage of the bill, a certain number of shares in the company from the solicitor; that the shares were at a premium in the market, and that the member had pocketed the premium.[1] The allegation may have been either true or false; but those persons who are accustomed to 'moralise on the decay' of Parliamentary morality may be comforted by the reflection that the House of Commons allowed such a charge to be publicly made and publicly reported forty years ago without taking a single step to test its accuracy.

Facts of this kind created so much scandal that, in accordance with the advice of a committee in 1839,[2] the House of Commons authorised the Speaker to make a considerable reduction in the numbers on each com-

[1] *Hansard*, vol. xlv. p. 978. Cf. the account of the scandalous proceedings on the South-Eastern Railway. Mr. Wray, the Receiver-General of Police, paid 300*l.* to Mr. Bonham for his vote. *Ibid*, vol. lxxxii. pp. 797 and 1377.

[2] *Parl. Papers*, 1839, vol. xiii. p. 102.

mittee; while independent persons expressed a desire that the Commons should follow the example which had already been set to them by the Lords, and reduce the number on each committee to five. Peel and Russell, however, both resisted so radical a change, and clung to the antiquated system of local representation on private bill committees. The numbers on each committee were reduced to thirty-five. These thirty-five members, however, proved too large a tribunal for judicial purposes. Members brought to the committee preconceived opinions; they proved consequently incapable of forming an impartial judgment on the matters referred to them; and the country saw with dismay that schemes of imperial importance were decided on corrupt motives, or on reasons of merely local significance.[1] In 1842 a more rational system was introduced. Competing lines were referred to a committee of five members, nominated by the committee of selection,[2] and from 1846 all private bills were referred to committees of five.

Extravagant speculations.

The expense attending private legislation of this kind was enormous. Rival schemes, in which the members of the committee were often directly interested, were keenly fought, and the unfortunate promoters were exposed to large and unnecessary expense. The promoters of the London and Birmingham Railway spent 72,000*l.*, the promoters of the Great Western Railway 88,000*l.*,[3] in forcing their schemes through Parliament. The most frivolous grounds were commonly admitted as pretexts for opposition. The Eton masters, fearing that the boys would be contaminated by even the sight of a railway, proposed to screen the Great Western for four miles with walls ten feet high.[4] In 1836 schemes for

[1] *Hansard*, vol. lix. p. 680; *Parl. Papers*, 1837, vol. xiii. p. 295, and cf. *Parl. Papers*, 1840, vol. xv. p. 209.

[2] *Hansard*, vol. lxxxiii. p. 750.

[3] *Ibid.*, vol. xliii. p. 591. The expense was as great in other cases, see Porter's *Progress of the Nation*, p. 337.

[4] *Hansard*, vol. xlix. p. 1017.

CHAP. XVII. 1841.

new railways involving an outlay of 45,000,000*l.* were laid before Parliament; and Graham seriously suggested that they should all be postponed for a year, and that an appeal should be made from the country drunk to the country sober.[1] The mania of the speculating public almost justified Graham's suggestion. Three different companies were promoting competing lines to Brighton alone; and though it was obvious that only one of the three bills could be passed, the shares of all of the companies were quoted at a premium on the Stock Exchange.[2]

The House of Commons, of course, was not responsible for this extravagant speculation. All that it did was to increase the expenses of the speculators and to lessen their chances of success by imposing on them the necessity of costly and superfluous litigation. Speculation itself was perhaps the inevitable consequence of the period of torpid trade by which it had been preceded. Action and reaction seem, indeed, to be the universal rules of the moral, political, and economical world. The seven fat ears of corn, followed by the seven lean ears, might have been taken as typical of the economical history of any decade in the nineteenth century. The commercial paralysis which succeeded the commercial crisis of 1826 was followed in 1835 by renewed commercial activity. The revival of confidence was promoted by a great measure carried in the first years of its existence by a Reformed Parliament. In renewing its charter, the Legislature decided on terminating some of the exclusive privileges of the Bank of England. A convenient opportunity will occur, on a later page of this volume, for considering this policy and its consequences. It is sufficient here to state that the termination of the privileges enjoyed by one bank naturally encouraged the formation of other banks.

The formation of joint-stock banks.

[1] *Hansard*, vol. xxxi. p. 681. [2] *Ibid.*, p. 670.

New establishments were everywhere promoted; old establishments multiplied their branches, and prudent persons felt alarm at the passion which was suddenly excited for enterprises of this description.

The new banks necessarily afforded many opportunities for the formation of speculative companies. They competed one against the other for business, and found that the propagation of fresh enterprises afforded them additional custom. Every newspaper contained long lists of projected companies; till, at last, in 1836, some 300 or 400 companies, representing an aggregate capital of 200,000,000*l.*,[1] were simultaneously endeavouring to place their shares on the market. There was, however, one distinction between the feverish speculation which characterised 1836, and the speculation which had preceded it in 1825. In the earlier year the companies which had competed for the investments of the public had usually been formed to promote foreign adventure. In the later period the public, gaining caution from a bitter experience, refused to invest its savings abroad; and the new companies were therefore designed to foster industry at home. This, however, was the only difference between the two periods. In both of them speculators transgressed the limits of common sense and common prudence. 'The greater part of these companies,' said Poulett Thomson in the House of Commons, 'were got up by speculators for the purpose of selling their shares. They brought up the shares to a premium, and then sold them, leaving the unfortunate purchasers, who were foolish enough to vest their money in them, to shift for themselves.'[2]

The institution of limited liability.

Startled by the growth of companies of every kind, and frightened at the liabilities which speculators had

[1] The figures are given on the authority of Poulett Thomson, *Hansard*, vol. xxxiii. p. 688; cf. Tooke's *History of Prices*, vol. ii. p. 277.

[2] *Hansard*, vol. xxxiii. p. 688.

CHAP. XVII. 1841.

incurred, the Legislature in 1837 consented to limit the liabilities of shareholders[1] in new undertakings; and, but for the efforts of Brougham, would have extended in 1838 the principle of limited liability to old companies.[2] Limited liability, however, was not introduced at all until the confidence, which the public had displayed, had been arrested by a new crisis. Over-speculation produced the usual result of a drain of bullion from the Bank of England. The directors of the Bank, alarmed at the increase in their liabilities and the decrease in their reserve, raised the rate of discount to 4½ per cent. in July, and to 5 per cent. in August, 1836. The advance did not check the crisis which was already imminent. In November a large Irish bank suspended payment. In December the Bank of England made a serious effort to sustain the credit of a bank in Manchester which was known to be in difficulties. Its decision postponed for a few months a crisis which was inevitable. Embarrassments in the American trade foreboded a collapse. The event came, and the Stock Exchange fell into panic. The closing days of the life of William IV. witnessed the disaster. The recovery was already beginning when the Queen ascended her uncle's throne.[3]

The crisis of 1836.

The crisis made only a temporary mark on the trade of the country. The value of the imports decreased from 55,733,419*l.* in 1836 to 53,224,874*l.* in 1837; the official value of the exports from 84,883,276*l.* to 72,312,207*l.* But in 1838 the imports rose to 59,878,905*l.*, the exports, measured by their official value, to 92,107,898*l.* The improvement in the official values continued to take place, till at last, in 1842, the official value of the imports was placed

[1] 7 Will. IV. and 1 Vict. c. 73.

[2] The bill was thrown out in the Lords by twelve votes to ten. *Hansard*, vol. xliv. p. 1210.

[3] The crisis is minutely related in Tooke's *History of Prices*, vol. ii. p. 294 *et seq.*

at 63,589,080*l.*, the official value of the exports at 99,911,012*l.* The official value of the exports had thus risen in seven years from 84,883,276*l.* to 99,911,012*l.*, or by more than 15,000,000*l.* But in the same period the declared value of the exports had decreased from 52,940,838*l.* to 47,012,651*l.*, or by 5,928,000*l.* The official values are, of course, the test of quantity; the declared values, of value. The quantity of the exports had thus risen in six years by about 17 per cent.; and, notwithstanding this increase in quantity, the value had decreased by about 11 per cent.

An increase in the official, and a decrease in the declared, value of the exports was no novel thing in the history of the nation. A similar anomaly had been alarming superficial politicians ever since the battle of Waterloo. The decrease in the declared, or real, values had been attributed to the lower cost of the raw commodities of trade, and to the increased use of machinery in manufacture. One of these causes had, however, lost its force in the first half of the period under review. The rapid fall in the price of the raw commodities of commerce which took place between 1815 and 1830 was not continued, while the value of the manufactured goods continued to decline with increasing rapidity, till at last, in 1842, a yard of cotton cloth did not fetch much more than one half its price in 1830.[1] Much of this decrease was, no doubt, due to the ingenuity of inventors and the excellence of their improvements; but much of it unfortunately was also attributable to the continuous

Decline in prices.

[1] Cotton-wool (Bowed Georgia) in 1816 ranged from 1*s.* 3*d.* to 1*s.* 8*d.* a lb. It was only worth from 5¼*d.* to 7¾*d.* a lb. in 1830, and it was quoted at from 5½*d.* to 7½*d.* in 1841. Tooke's *History of Prices*, vol. ii. p. 401, and cf. vol. iv. p. 427. The official value of the cotton goods exported rose from 35,395,400*l.* in 1830 to 56,428,629*l.* in 1842; while the declared value in the same period fell from 15,203,713*l.* to 13,898,663*l.* *McCulloch, ad verb.* 'Cotton.' The exports, in short, increased 60 per cent. in quantity, and fell about 10 per cent. in value. The real value of the manufactured goods therefore diminished by nearly one half, while there was no diminution in the value of the raw material.

CHAP. XVII. 1841.

decrease of the wage-rate of the labouring classes. Official figures proved incontestably the growth of trade; and the people, notwithstanding the official figures, died of hunger in the towns of Lancashire.

Distress of the working classes.

There are probably few persons, who have not had occasion to study the records of the time, who have any notion of the misery into which the poor had fallen. A long apprenticeship had indeed inured them to suffering; but the misery which they endured in 1816 and 1833 was as nothing compared with the protracted wretchedness which commenced in 1837 and continued to 1842. In 1839, 1,137,000 persons were in receipt of relief in England and Wales alone; in 1840 the pauper roll contained 1,199,000, in 1841 1,299,000, and in 1842 1,429,000 persons. The population of England and Wales amounted at that time to about 16,000,000: so that one person out of every eleven in the country was a pauper.[1] The poor, moreover, lived under conditions which would have made life with high wages horrible, and which made life with low wages intolerable. Collected in the vast manufacturing towns, they were crowded in courts and alleys; they swarmed in cellars which were neither ventilated nor drained. It was stated in 1837, on the authority of the Statistical Society of Manchester, that one tenth of the population of Manchester and one seventh of the population of Liverpool lived in cellars.[2] Horrible as these figures seem, there is reason to believe that the facts were understated. In the report on the condition of the hand-loom weavers, it was stated that 175,000 persons in Liverpool depended on labour; 86,400 of them lived in courts, and 38,000 in cellars.[3] Yet Liverpool, it was added, was better off than Glasgow. A Lanca-

Their dwellings.

[1] These figures are given by Sir J. Graham in *Hansard*, vol. lxv. p. 367, and vol. lxvi. p. 1178.

[2] *Hansard*, vol. xxxix. p. 383, and cf. vol. li. p. 1226.

[3] *Parl. Papers*, 1841, vol. x. p. 352.

shire court was not a savoury habitation. Here is a description of one written by the wife of a Manchester clergyman:—'It was unpaved, and down the middle a gutter forced its way, every now and then forming pools in the holes with which the street abounded. Women from their doors tossed household slops of every description into the gutter; they ran into the next pool, which overflowed and stagnated.' Steps from this filthy court led down to a small area, 'where a person standing would have his head about one foot below the level of the street, and might at the same time, without the least motion of his body, touch the window of the cellar and the damp muddy wall right opposite. You went down one step even from this foul area into the cellar, in which a family of human beings lived. It was very dark inside. The window-panes, many of them, were broken and stuffed with rags, which was reason enough for the dusky light that pervaded the place even at midday. The smell was so fœtid as almost to knock' the incomer down. The children lay on the 'damp, nay wet, brick floor, through which the stagnant moisture of the street oozed up.'[1] 'In the very centre of Glasgow,' wrote another authority, 'there is an accumulated mass of squalid wretchedness which is probably unequalled in any other town in the British dominions. There is concentrated everything that is wretched, dissolute, loathsome, and pestilential. These places are filled by a population of many thousands of miserable creatures. The houses in which they live are unfit even for sties. . . . . In many there is scarcely any ventilation; dunghills lie in the vicinity of the dwellings; and, from the extremely defective sewerages, filth of every kind constantly accumulates.'[2]

[1] *Mary Barton*, ch. vi.

[2] Captain Miller, the Superintendent of the Glasgow Police, quoted by Ashley in *Hansard*, vol. lxvii. p. 69.

CHAP. XVII. 1841.

Distress, however, was not confined to the manufacturing districts. The conditions which were present in Liverpool and Glasgow were equally perceptible in the east-end of London. In Bethnal Green houses were built every day, yet there was not a single sewer in the district.[1] 'A large portion of Bethnal Green,' so runs an official account of the matter, 'is a swamp, hardly any part of which is drained. In rainy weather some entire streets are under water, and large collections of standing water cover (winter and summer) considerable spaces of ground.'[2] 'A miserable blind alley,' so a London clergyman described a place in London, 'where a dirty gas-lamp served to make darkness visible, and show the patched windows and rickety doorways of the crazy houses whose upper storeys were lost in a brooding cloud of fog; and the pools of stagnant water and the huge heaps of cinders which filled up the waste end of the alley—a dreary black formless mound, on which two or three spectral dogs prowled up and down after the offal, appearing and vanishing like dark imps in and out of the black misty chaos beyond. And what a room! A low lean-to, with wooden walls, without a single article of furniture; and, through the broad chinks of the floor, shone up, as it were, ugly glaring eyes, staring at us.'[3] Occasionally miserable courts such as these, overcrowded with the living, were surrounded with graveyards overcrowded with the dead. Every sanitary law, every feeling of decency, was disregarded at the burials of the poor. On one occasion, in burying one dead body, the skulls of thirteen dead persons were turned up by the sexton.[4]

Dead and living were crowded together in narrow areas. Dying and living were crowded together in

[1] Lord Kinnaird in *Hansard*, vol. lxxxvii. p. 1063.

[2] *Parl. Papers*, 1841, vol. x. p. 351.

[3] *Alton Locke*, ch. xxxv.

[4] The statement rests on the authority of Bishop Blomfield. *Hansard*, vol. lvii. p. 1067.

miserable dwellings. It is on record that in one case seventeen persons were found living in a room five yards square; that in another case eight persons, two looms, and two beds were found in a cellar, six feet under ground, measuring four yards by five.[1] An inquiry was made in 1841 into the condition of some 1,600 of the poor of Little Bolton. Out of the 1,600, twenty-three had no bed to sleep in; eight slept in the same bed; forty-two slept, seven in a bed, in six beds; seventy-eight slept, six in a bed, in thirteen beds; 185 slept, five in a bed, in thirty-seven beds, and 432 slept, four in a bed, in 108 beds.[2] In Rochdale, at the same time, five-sixths of the population had scarcely a blanket among them; eighty-five families had no blanket, and forty-six families had chaff beds with no covering at all.[3] In Paisley 15,000 persons were in a state of starvation, 'with little or no clothing, and no bedding on which to lie.'[4] 'Chopped dirt,' wrote the author of the 'Poor Law Catechism,' 'the sweepings of a hen-house mingled with a proportion of sparrows' nests, would be the best representatives of what they (the poor of Bolton) huddle upon in corners.'[5]

Overcrowding was not confined to the town poor. In many rural districts the landlords, frightened by the increase of the poor rates, refused to build new houses, and even pulled down their old cottages. The poor consequently swarmed in the remaining tenements in a manner which it is difficult to realise. In one parish in Dorsetshire, thirty-six persons dwelt on an average in each house. It was not uncommon for the occupants of adjacent houses to place all the males in one cottage and all the females in another. In another parish, a father, mother, a married daughter and her husband,

[1] *Hansard*, vol. lviii. pp. 31, 32.
[2] *Ibid.*, p. 593.
[3] *Ibid.*, vol. lix. p. 635.
[4] *Ibid.*, vol. lx. p. 178.
[5] Prentice's *History of the Corn Law League*, vol. i. p. 271.

CHAP. XVII. 1841.

a baby, a blind boy of sixteen, and two girls all occupied one room.[1]

The abject poverty of the poor.

The miserable condition of the poor was, of course, due to their poverty; and poverty was not partial, it was catholic. In Bolton, out of fifty mills, usually employing 8,126 men, thirty were either standing idle or working half time. The loss to the poor in wages amounted to 130,000*l.* a year.[2] A succession of bad seasons, at the close of the reign of William IV., threw 160,000 persons in the western highlands and islands of Scotland out of work.[3] In 1841, it was officially stated that there were 800,000 persons dependent for their daily bread on handloom weaving;[4] and it had been proved that the weaver had to exist upon 2½*d.* a day.[5] Out of 10,000 persons in Manchester, whose circumstances were investigated in 1841, 2,000 had only 1*s.* 2¼*d.* a week for each individual, 4,000 had only 13½*d.* a week per head;[6] in Rochdale 508 persons were living on 1*s.* a week, 290 persons on 10*d.*, and 136 persons on 6*d.*, or on less than 1*d.* a day. In 1843, Carlyle wrote from Scotsbrig: 'Wages yesterday at Lockerbie Fair were lower than any man ever saw them. A harvestman, coming hither for five weeks, is to have one sovereign. A weaker individual works through the same period for 15*s.* or 12*s.* 6*d.* according as he proves.'[7]

Aggravated by the price of corn.

The story, so far as figures can tell it, is not yet complete. In 1835, the average price of wheat was only 1*l.* 19*s.* 4*d.* the imperial bushel; it rose to 2*l.* 8*s.* 6*d.* in 1836, to 2*l.* 15*s.* 10*d.* in 1837, to 3*l.* 4*s.* 7*d.* in 1838, to 3*l.* 10*s.* 8*d.* in 1839, and it did not again fall below

[1] *Hansard*, vol. lxxiii. pp. 882, 884.

[2] *Ibid.*, vol. lviii. p. 31; vol. lx. pp. 247–259.

[3] *Ann. Reg.* 1837, Chron., p. 27.

[4] *Parl. Papers*, 1841, vol. x. p. 397.

[5] *Hansard*, vol. xxxviii. p. 1794; cf. Disraeli's account of Warner, a handloom weaver, in *Sybil*, ch. xiii.

[6] *Hansard*, vol. lix. p. 635.

[7] *Carlyle's Life in London*, vol. i. p. 319.

3*l.* a bushel till after the change of Government in 1841. A quarter of wheat is the average annual consumption of each member of that portion of the population which lives upon bread. A labouring man with a wife and three children would probably require annually five quarters of wheat. To such a man, therefore, a rise of price of 30*s.* a quarter was equivalent to an increased expenditure of 7*l.* 10*s.* a year—or, if his wages were 1*l.* a week, to an income tax of 14 per cent.; if his wages were 10*s.* a week, to an income tax of 28 per cent. It need hardly, therefore, be added that the poor suffered as much from the increased price of bread as from the reduced value of their labour. 'Child, is thy father dead?' so ran the touching question of the poet of the poor—

> Child, is thy father dead?—
> Father is gone:
> Why did they tax his bread?—
> God's will be done.—
> Mother has sold her bed,
> Better to die than wed,
> Where shall she lay her head?
> Home she has none.

The expedients to which the poor were reduced for the sake of food almost exceed belief. The author of the 'Poor Law Catechism' said that 'Pennyworths of mutton and halfpennyworths of bread cut off the loaf are what the shopkeepers of Bolton deal out to the inhabitants of their Jerusalem.'[1] 'I could tell you,' so ran a letter from Johnstone, 'of mothers dividing a farthing herring and a halfpennyworth of potatoes among a family of seven.'[2] Such expedients seemed tolerable compared with others which were resorted to at the same time. Children fought each other in the streets for the offal which rich men do not allow their

[1] Prentice's *History of the Corn Law League*, vol. i. p. 271.

[2] *Hansard*, vol. lix. p. 759.

CHAP. XVII. 1841.

dogs to touch. A gentleman saw a labourer standing over his swill-tub, voraciously devouring the wash intended for the pigs. Twenty women begged a farmer to allow them to disinter the body of a cow, which he had buried thirty-six hours before as unfit for human food.[1] Starving men and women, or, worse still, men and women seeing their children starve before their eyes, readily seized the vilest substances which enabled them to protract for a few hours longer their miserable lives.

The prevalence of disease.

Disease was, of course, the inevitable result of dirt and hunger. Typhus continually decimated the poor. 'In many parts of Bethnal Green and Whitechapel, fever of a malignant and fatal character is almost always prevalent. In some streets it has recently prevailed in almost every house; in some courts in every house; and, in some few instances, in every room in every house.'[2] 'The difference in salubrity between the London of the nineteenth century and the London of the seventeenth century,' wrote a great historian in the same decade in which this report occurred, 'is very far greater than the difference between London in an ordinary year and London in a year of cholera.'[3] Macaulay was a Cabinet Minister at the time at which the Report on the Handloom Weavers was made; yet it does not seem to have occurred to him to extend his inquiries into the facts there disclosed. Had he done so, he would have found that the difference in salubrity between the London of the rich and the London of the poor, in his own time, was greater than the difference in salubrity between the London of the seventeenth century and the London of the nineteenth century. 'The first annual report of the Registrar-General showed for the year 1838 a varia-

[1] *Hansard*, vol. lviii. p. 595. There is a similar story in *ibid.*, vol. lxiii. p. 26.

[2] Report on the Handloom Weavers, *Parl. Papers*, 1841, vol. x. p. 350.

[3] Macaulay's *History of England*, vol. i. p. 424.

tion of mortality in different districts of the metropolis amounting to 100 per cent., nearly equal to that which exists between the most healthy and the least healthy portions of the world.'[1]

The Poor Law, 1834.

The misery which the poor were everywhere enduring had undoubtedly been aggravated for the time by the Poor Law of 1834. Up to the passage of that Act, the poor had almost universally relied on the doles which had been paid to them by the Poor Law authorities. They had been kept in a state of miserable dependence; but they had, at any rate, avoided starvation. The termination of this system was necessary; but the consequences of its sudden termination were disastrous. A million pensioners were suddenly deprived of their pensions, and forced to depend on their own labour for their support. It was inevitable that many of them should sink under the change. The three despots of Somerset House, as the Poor Law Commissioners were called, would not listen to any appeal for mercy in passing from one system to another. The growth of the poor rate had been traced to outdoor relief; and they were determined that outdoor relief should cease in England. They made the common mistake of passing to one extreme in their anxiety to avoid another, and of precipitating a change for which the nation was hardly prepared.

Unfortunately for the poor, moreover, the rigorous rules which were made by the Commissioners were rigorously carried out by local Dogberries. The poor, previously accustomed to the indulgences of a vicious system, were treated with almost incredible cruelty. The newspapers of the time, the debates in Parliament, even the literature of the period, teem with stories of unnecessary harshness to paupers. Old men, suddenly forced into the workhouse, were separated from their

[1] *Parl. Papers*, 1841, vol. x. p. 350.

CHAP. XVII. 1841.

wives; mothers were separated from their infant children; sick men and women were forced to walk long distances for relief, and were allowed to faint, and in some cases to die, before the relief came. In many workhouses the diet was insufficient for the bare sustenance of life; the medical men complained that they could not obtain adequate food for their patients. These and similar stories repeated from mouth to mouth, and exaggerated in the repetition, produced a profound impression. A young clergyman increased this impression by publishing an account of the cruelties committed in a workhouse at Andover;[1] a great novelist made a poor workhouse-boy the hero of one of his most pathetic stories. The disclosures of Lord Sidney Osborne and the sufferings of Oliver Twist increased the universal indignation; and Attwood declared in Parliament that the new Poor Law was more odious than any measure which had passed since the Norman Conquest.[2]

There were two features about the Poor Law of 1834 which should be recollected by anyone who desires to understand the agitation against it. It was, in one sense, a permissive law; and it was a temporary law. The Poor Law Commissioners had the power of dividing the kingdom into unions, and, in this way, of practically extending the operations of the law. The Act was only passed in the first instance for five years; and if it had not been continued would have terminated in 1839.

Agitation against it.

Both circumstances encouraged agitation. Any intimation of an intention to form a new union became the signal for disturbance. The Government had the mortification to find that they could only carry out the orders of the Commissioners by quartering troops on the disturbed

[1] The Andover scandal excited attention for a long period. See *Hansard*, vol. lxxxiv. p. 625, for a debate on the almost incredible cruelties perpetrated there. Peel's Ministry experienced an embarrassing defeat, in connection with this scandal, in the middle of the Corn Law debate of 1846. *Ibid.*, p. 676.

[2] *Hansard*, vol. xlix. p. 223.

districts.[1] Riots, moreover, were indirectly caused by the policy which the Commissioners pursued. The opponents of the Poor Law obtained a decision from the Court of Queen's Bench that the Commissioners could not legally introduce a board of guardians into a parish regulated by a private Act. The Commissioners evaded the decision by grouping parishes into unions, and by introducing boards of guardians into the unions.[2] Local gentlemen were not conciliated by discovering that the Commissioners had dexterously evaded the decision of the Courts. The agitation, which had led to riots in the country and to a lawsuit in Westminster Hall, was removed to Parliament. In 1837, 1838, and 1839, the table of the House of Commons was laden with petitions against the law. In 1837, Walter, the member for Berkshire and the proprietor of the *Times*, moved for a select committee to inquire into its policy. He was seconded by Fielden, the member for Oldham, who boldly demanded that the law should be repealed. Russell, alarmed at the prevalent clamour, did not venture to refuse the inquiry, and contented himself with limiting the terms of the reference.[3] The committee occupied two sessions with the task which had been entrusted to it, but it ultimately disappointed the expectations of its promoters. Instead of denouncing the law, it declared that it had improved the condition of the poor. Instead of blaming the Commissioners, it declared that they had acted with zeal, ability, and discrimination.[4] Fortified by this report, the Government ought to have proposed that the law should be made permanent. The weak Whig Ministry only ventured in 1839 to suggest its continuance for another year. It adopted the same course in 1840.

CHAP. XVII. 1841.

[1] *Hansard*, vol. xxxix. p. 959.
[2] *Ibid.*, vol. lvii. pp. 616, 619.
[3] *Ibid.*, vol. xxxvi. p. 987.
[4] *Parl. Papers*, 1837–8, vol. xviii. p. 27; and *Ann. Reg.*, 1837, Hist., p. 141.

CHAP. XVII. 1841.

No one was satisfied with this compromise. The opponents of the law disliked its annual continuance; the friends of the law disliked the periodical debates which its annual continuance necessitated. Walter declared that the workhouse test was a law of imprisonment for poverty; Phillpotts complained that the poor were excluded from their own parish churches on Sundays.[1] The Church thus used its influence to aggravate the irritation of the masses, and to enhance an agitation which it should have endeavoured to have allayed. Fortunately for posterity the great leaders of the Conservative party were wiser than Phillpotts and Walter. Wellington had the good sense to deprecate the agitation and to defend the Commissioners.[2] Peel had the wisdom to support his opponents: and even the author of 'Sybil,' denouncing the law in his romances, and voting against it in the House of Commons, had to confess that he had nothing to expect from the great Conservative leader.[3]

In the meanwhile, however, all parties saw the necessity of adopting some definite action. Those who desired to revert to the old system, as well as those who wished to adhere to the new, equally deplored the continuance of an agitation which was disturbing men's minds and increasing their animosity. The Ministry accordingly decided to ask Parliament to continue the law for another ten years; and, in January 1841, Russell introduced a measure for the purpose.[4] The bill was read a second time on the 8th of February, and the opposition to it on that occasion was led by a man whose name has been already occasionally mentioned in these pages, and who was destined ultimately to fill a very prominent place in the history of Britain.

Mr. Disraeli.

[1] *Hansard*, vol. xxxv. p. 704, and xxxviii. p. 1138.

[2] *Ibid.*, vol. xlviii. p. 188.

[3] See for instance the conversation in *Sybil*, bk. ii. ch. i.

[4] *Hansard*, vol. lvi. p. 155.

CHAP. XVII. 1841.

Benjamin Disraeli was the eldest son of Isaac Disraeli, a gentleman 'descended from a line of Jewish merchants,' whose father had sought a home in England in the middle of the eighteenth century. The elder Disraeli was perhaps the greatest literary collector that ever lived; his choicest work, 'The Curiosities of Literature' is a commonplace book, but it is a commonplace book in which every entry displays infinite industry, and is illustrated with an admirable style. Nurtured in his father's library, to use his own striking phrase, the younger Disraeli grew up to manhood admirably furnished with the graceful information with which his father had charmed his readers, but profoundly ignorant of the economical sciences which modern statesmen almost exclusively associate with the name of knowledge.

Disraeli had inherited from his father an admiration of the Stuarts and a hatred of the Revolution, and he had persuaded himself that England, instead of turning to the right in 1689, had definitely moved to the left. Inspired with these opinions, it was the object of his ambition to pare away the consequences of the Revolution: the only chance of doing so, he thought, was to found a monarchy on the support of the lower orders. A Tory in his strange desire to raise the influence of the Crown, a Democrat in his singular wish to use mere numbers to give an impulse to his policy, Disraeli agreed both with Tories and Democrats in hating the Whig Government of 1830. He thought that his detestation of the Whigs should secure him the support of extreme men of both political parties. He actually, in 1833, fought his first election armed with letters of recommendation from O'Connell and Hume; and in 1835 he was instilling some of his principles into Lyndhurst. If Disraeli, however, had confined himself to fighting unsuccessful election con-

CHAP. XVII. 1841.

tests, or to writing political pamphlets, under the specious pretext of vindicating the Constitution, few persons would have been much the wiser for his eccentric opinions. He enforced attention to them by embodying them in a series of romances intended to illustrate the history of his country and educate his fellow-countrymen. From this point of view, 'Tancred,' 'Sybil,' and 'Coningsby' deserve to be reckoned among the remarkable creations of the present century. They were romances designed to convert a nation to the views of an author.

It was said of Scott, with some approach to accuracy, that his history was romance and his romance history. It might have been said, with much more truth, of Disraeli that anyone who liked his romances might read his speeches; but that he who cared for his opinions should study his romances. Disraeli lives, thinks, and speaks in his novels. Vivian Grey, Contarini Fleming, Egremont, and Coningsby are all the same person, moving in slightly different surroundings, but identified by the same opinions. There is only a difference of age between Vivian Grey and Coningsby. The one is Disraeli of twenty-two; the other, Disraeli of thirty-six. There is, indeed, one distinction between Vivian Grey and Coningsby which probably marks the author's perception of his own deficiency. Nurtured in the unhealthy atmosphere of his father's library, Vivian Grey was Disraeli as he was; trained amidst the healthy associations of a great public school Coningsby was the Disraeli which the author wished he had been.

The debate on the Poor Law.

The new Poor Law was odious to the young Tory Democrat, and Disraeli accordingly moved the rejection of the measure which Russell had introduced for continuing it for ten years. The second reading of the bill, however, was carried by a large majority.[1] But the

[1] *Hansard*, vol. lvi. p. 451.

opposition was subsequently renewed by other assailants. Peel persuaded Russell to limit its duration to five years But even this concession did not moderate the violence of the attack: 527 petitions were presented against the bill; sixty-seven amendments to it crowded the notice paper of the House of Commons. Wakley, an intemperate Radical, roundly declared it an 'odious, detested, and detestable law.' The odious, detested, and detestable law, made slow progress. Beaten on other questions, however, the great Whig Ministry had to dissolve Parliament, and to leave to its successors the task of continuing the new Poor Law.[1]

Thus the Parliament of 1837 was dissolved, and the fate of the poor was still undecided. While the thousands of unfortunates who were forced to apply for relief were dependent on a system threatened with extinction, the independent poor were painfully struggling to maintain their independence. Three successive bad seasons had limited the purchasing capacity of the agricultural classes;[2] and dearth at home and troubles abroad were preventing the revival of trade and reducing the rate of wages.[3]

Such was the condition of the poor in what was still called 'merry England.' But in parts of England special circumstances, still to be related, increased their unhappiness. Many manufacturers kept shops, and insisted on their workpeople dealing at their shops. The operative was required to spend a portion of his wages on the groceries or other articles which his master retailed to him. In some cases the workpeople

Truck.

[1] See *Hansard*, vol. lvii. pp. 9, 400, 612.

[2] For the harvests of 1839, 1840, 1841, Tooke's *History of Prices*, vol. iv. pp. 1–10.

[3] Women are making men's trousers at 6*d.* a pair, waistcoats at 4½*d.*, and shirts at 1½*d.* apiece. A master shoe-manufacturer, who employed from 100 to 200 hands, in 1812 paid his men from 2*l.* 10*s.* to 3*l.* per week, and women from 17*s.* 6*d.* to 18*s.* per week. For the same work he paid in 1841, 12*s.* 10*d.* and 8*s.* 9*d.* *Hansard*, vol. lx. p. 857.

CHAP. XVII. 1481.

were even compelled to receive their wages in the productions of the factory in which they were employed.[1] A manufacturer was convicted in 1841 of paying wages in cloth, for which he wished to charge his workman 2*l.*, and for which he did charge him 1*l.* 15*s.* a yard, while his wretched workman was only able to sell it at 11*s.* a yard.[2]

It is probable that the system which had thus been introduced was originally suggested by philanthropic considerations. It might easily have occurred to benevolent individuals that they could eke out the scanty wages of their workpeople by establishing stores in the neighbourhood of a factory for the sale of the articles which the poor required at a lower price than that at which the local tradesman could sell them. The old name for barter was 'truck,' and these shops were commonly known as 'truck shops.' Long after truck had become illegal, and the term had fallen into disrepute, benevolent landlords, actuated by the kindliest feelings, established truck shops in their own villages. So long as work was abundant, and the demand for labour was as great as the supply of it, the truck shops did no harm, and in many cases probably did much good. But in the terrible distress which succeeded the great war, which recurred after the crisis of 1825, and which again prevailed, in a prolonged and unprecedented degree, after the accession of the Queen, truck became a new source of oppression to the poor.

Truck, indeed, had been the subject of legislative

[1] 'The question is,' said Nixon, in *Sybil*, 'what is wages? I say 'taynt sugar, 'taynt tea, 'taynt bacon. I don't think 'tis candles; but of this I be sure, 'taynt waistcoats.' Bk. iii. ch. i. Anyone who will take the trouble to read Squire Autey's evidence in the Truck Report, *Parl. Papers*, 1842, vol. ix. p. 125, will see that, if Disraeli had no authority for the waistcoat, he had ample authority for the cloth.

[2] *Hansard*, vol. lxii. p. 841. Cf. Nixon's observation: 'Sir, this here age wants a great deal, but what it principally wants is to have its wages paid in the current coin of the realm.'

interference. Parliament had, in theory, provided that every working man should receive his wages in the current coin of the realm.[1] Such enactments were useless in a crisis in which the labour of an able-bodied man was a drug in the market. It was tacitly understood that the workman who stood out for his rights would be discharged from his employment. In defiance of the law, therefore, truck shops plied a profitable trade; and the noble remonstrance of Isaiah might have been applied to the British manufacturer: 'What mean ye that ye beat my people to pieces, and grind the faces of the poor?'

Though, too, the efforts of Sadler and Ashley had introduced some decency into cotton factories, labour in many industries was still unregulated, and the child was at the mercy of its guardians or its master. The Act of 1833 had therefore produced only partial and imperfect results; and children were still employed on work which was beyond their strength, and which was frequently protracted for ten or twelve hours a day. The kindly feelings, however, which were gradually being fostered in England were opposed to the harsh treatment of little children, and in 1840 the Government introduced, and Parliament passed, a bill to prevent their employment in sweeping chimneys.[2] In the same year in which this humane measure received the sanction of the Legislature, Ashley obtained the appointment of a commission on the employment of children in mines.[3] The chairmanship of the commission was entrusted to a gentleman who is now best known for his 'History of Prices.' The reader who is only acquainted with the dry statistics of that work would never imagine that its author was also responsible for the most sensational

Labour of women and children in mines.

[1] The Truck Act is 1 & 2 Will. IV. c. 37.

[2] 3 & 4 Vict. c. 85. *Hansard*, vol. liii. p. 1092, and vol. lv. p. 433.

[3] *Hansard*, vol. lv. p. 1260.

CHAP. XVII. 1841.

Blue-book of the century. Yet in the commencement of 1842 the Commission issued a report which converted thousands of readers to the necessity of immediate legislation. It proved that, in most of the mineral districts, children began work at seven, and that in many districts they were frequently employed at six, five, or even four years of age. Girls, as well as boys, women, as well as men, worked underground. The mines were usually ill-drained and ill-ventilated. The children had consequently often to work in the wet; they were kept at work in any atmosphere in which a candle would burn. The smallest children were employed as trappers, or in opening the traps in the seams through which the coal-laden carts passed. But women, boys, and girls were also engaged as hurriers, or in walking backwards and forwards pushing the carts themselves through the seams. Many of these seams were only 22 to 28 inches high, so that none but small children could pass through them. In some cases the child was made to push the car; in other cases children, and even women, were made to draw it by the girdle and chain. The girdle was a band placed round the waist of the hurrier. The chain passed between the drawer's legs, and chafed the wretched creature's thighs as he or she drew the load. Little children of seven worked for twelve hours a day, harnessed like beasts by the girdle and chain; but, unlike the happier beasts of burden, subjected to the task before their growth was complete and their strength mature. Mothers worked at the same toil. They resumed their labours before their strength was restored, leaving their babies—if by some chance they were born alive—to die.

The things which were done in the pit were horrible. No constable dared to trust himself underground in the company of the miners; and even criminals flying from

justice, who had not offended against the public opinion of the workmen, were occasionally received in the mine, and thus sheltered securely from the officers of the law. Under such circumstances the lot of women working underground with men, the lot of children at the mercy of their masters or of the butties, hardly needs description. Boys and girls were kicked and beaten till the blood flew from them, or till their ribs were broken or their eyes knocked out. No horse in an overloaded coach, no donkey in a costermonger's barrow, few slaves the property of a West Indian planter, experienced the treatment which was the lot of many children—hurriers in mines.

Children, worked from almost their earliest infancy for ten or twelve hours a day, necessarily grew up ignorant of good, and hardened to suffering. Women, leaving their cottages to earn a pittance in a colliery, were forced to neglect the domestic duties which it has ever been women's chief province to perform. The young were thus converted into dangerous citizens; the women thus became bad mothers and bad wives; and children, crippled by hard premature labour, grew up, if they lived, to marry other cripples, and imprint on posterity the marks of their own wrongs. The only knowledge which these wretched people possessed was an acquaintance with immorality and crime. They were profoundly ignorant of the commonest facts about their own country. Many of them had never heard of London, had never heard of Ireland, had never heard of Scotland, had never heard of America. Many of them had never heard the name of Christ. The horrible creed of Tummas in 'Sybil,' which reads like a profane jest, is taken from the second Report of the Children's Employment Commission. Many colliers had never heard the name of God except in an oath. Its use in this way was as meaningless as the use of the unhappily common

The ignorance of the working classes.

CHAP. XVII. 1841.

'bloody' is now to the gutter child.[1] The most elementary knowledge was denied to these unfortunate people. Not one boy in ten, not one grown person in fifty, could read. In the populous districts, indeed, there was no provision for teaching a boy who desired to learn. In the district round Oldham, where there was a population of 105,000 people, 90,000 of whom were dependent on wages, there was not a single public day-school.[2] It was calculated that in England and Wales 3,180,000 children required education; that 2,120,000 of them required education at the public expense; and that there were not 845,000 of these children receiving any sort of instruction.[3] The vast proportion of the population was growing up to manhood or womanhood without even an opportunity of acquiring the commonest elementary knowledge. Poverty was so general, ignorance was so great, that many persons were inclined to fold their hands and regard the evils with which the country was afflicted as irremediable. They were tempted to imitate the cry of despair which had been raised 2,000 years before, and to say with the preacher, 'That which is crooked cannot be made straight.'

The remedies proposed.

All men, however, were not content to fold their hands and let misery run its course. A crowd of counsellors, some wise and some unwise, had innumerable remedies for the diseases of society. Disraeli em-

[1] The facts about the employment of children are from the first Report of the Children's Employment Commissioners, *Parl. Papers*, 1842, vol. xv.; see especially pp. 9, 13, 24, 78, 79, 81, 82, 83, 84, 94, 106, 131, 132, 255. The Report is illustrated with drawings of women and children harnessed and at work; and the drawings made a profound impression on the people. The facts about the educational deficiencies are from the second Report of the same Commission, *Parl. Papers*, 1843, vol. xiii. pp. 155, 156. Tummas's creed, 'he believes in our Lord and Saviour, Pontius Pilate, . . . and in Moses, Goliath, and the rest of the Apostles,' is evidently founded on sub-commissioner Horne's report that he found children who believed that Pontius Pilate and Goliath were Apostles. Cf. *Sybil*, bk. iii. ch. iv. and *Parl. Papers*, 1843, vol. xv. p. 578. 'Bloody' is a corruption, of course, 'of the old Popish oath 'By our Lady!'

[2] 'And not a single medical charity,' *Hansard*, vol. lxvii. p. 84.

[3] Lord Ashley, in *Hansard*, vol. lxviii. p. 49.

ployed his powers of satire in ridiculing some of the favourite specifics of the quack doctors. In 'Sybil,' Lady Deloraine proposes to ask the Radicals to dinner; Sir Vavasour Firebrace to reorganise his own order; Lord Marney relies on emigration; Nixon on the abolition of truck; Morley on association; and Devil's Dust on a good strike. In 'Mary Barton,' a nameless character wishes every member of Parliament to wear shirts of calico, and a poor widow even desires the repeal of the law which keeps 'childer frae factory work.' These suggestions, taken at random from works of fiction, were not much more foolish than the contradictory proposals which were seriously made by responsible people. The repeal of the Poor Laws, their arbitrary enforcement, increased protection, free trade, wars having extended commerce as their object, treaties of reciprocity, the prohibition of child labour, the allowing children to work, gold as a standard of value, silver as a standard of value, paper as a standard of value—these were some of the suggestions which were made by responsible legislators for alleviating a vast load of misery.

Robert Owen.

While, however, quacks were suggesting their little nostrums, one man, who was not a quack, was undertaking a great experiment. The character of Robert Owen, the father of Socialism, is imperfectly understood by most persons. The strange opinions which he adopted during the latter half of his life, and which a careful reader of his works will probably ascribe to a deranged intellect, made his name a reproach and a by-word to peers and prelates who might have been happy if they had accomplished one hundredth part of the good which Owen had effected. The errors which could be discovered in his later opinions thus obliterated the truths which he disseminated in his earlier career. Owen's life naturally divides itself into three portions. The first comprises the story of his personal

CHAP. XVII. 1841.

success from his birth—a saddler's son in Montgomeryshire—to his becoming joint proprietor of the New Lanark Mills. The second, which commenced in 1797 and terminated soon after Waterloo, embraces his career at New Lanark. The third began with his publication in 1817 of a proposal for regenerating the world.

The rise of Owen, from the hour when, a boy of ten, he was apprenticed to a Stamford linendraper, to the period when, a man of twenty-six, he proceeded to New Lanark, is perhaps the most remarkable instance of personal success to be found in the English language. If Owen had only advanced Christianity with the vigour with which he advocated Socialism, and had defended property with the courage with which he assailed it, his story would have been in the hands of every British boy, and would have been as familiar as the legendary tale of Whittington, or the earlier struggles of Mr. Smiles's heroes. But it is with the experiment at New Lanark, and not with the early career of a successful tradesman, that this history is concerned. When Owen commenced his Scotch work in 1797, he found in New Lanark a population which did not materially differ from that of other manufacturing towns. Some 1,300 grown persons, and some 400 or 500 pauper children, were collected round the factory, passing their dull hours of work within its walls, and occupying their leisure with the vicious amusements which were the only relaxations of the uneducated poor eighty years ago. A population of this character was usually regarded as a mob, to be kept in order by terror. The strap was in constant readiness to descend on the shoulders of the child; the gallows were ever dangling before the eyes of the man. Owen, as wise as he was humane, saw that his unfortunate workpeople were the victims of the vicious circumstances which surrounded them, and that Society was alone responsible for their

vicious natures. 'Instead of tormenting the individuals —imprisoning and transporting some, hanging others, and keeping the population in a state of constant irrational excitement,' he resolved 'to change these evil conditions for good ones; and thus, in the due order of nature, according to its unchanging laws, to supersede the inferior and bad characters, created by inferior and bad conditions, by superior and good characters to be created by superior and good conditions.'[1]

The superior and good conditions which Owen hoped would lead to the formation of superior and good characters were eminently practical. He established an infant school. From the very earliest ages the children were to be surrounded by pleasing associations; and dancing and singing were to be two of the accomplishments in which every child was to be regularly trained. Education was thus to be the root and foundation of his whole system. But he did not rely on education alone. He established a public register of the conduct of every one of his workpeople. He founded what would now be called co-operative stores for the sale of the best commodities at cost price; and, pushing the principle of co-operation still further, he instituted in 1819 a public kitchen available for everyone connected with the factory. A self-denying liberality won the confidence of his workpeople. In 1806, when America temporarily placed an embargo on cotton, he stopped his mills, but continued the payment of his workmen's wages. Soon afterwards he reconstituted the New Lanark Company on the principle that all the profits, after the payment

[1] Owen's own works, *Autobiography*, p. 58. It is sad to reflect that Carlyle as late as 1866 could write of Robert Owen in 1817 as 'the then incipient arch-gomeril, "model school," and thought it and him a thing of wind not worth considering farther'—Carlyle's *Reminiscences*, vol. i. p. 132. This statement follows the account on p. 130 of Fulton and Bell launching 'an actual packet steamer' on the Hudson. Surely his editor might have suppressed, or at least disowned, such a verdict, and corrected such an inaccuracy.

CHAP. XVII. 1841.

of 5 per cent. on the capital embarked in it, should be freely expended on the education of the children and improvement of the people.[1]

New Lanark, managed on these admirable principles, was a happy feature in an unhappy country. Peers and princes condescended to visit the manager, and to approve the experiment; and Owen naturally thought that plans which had succeeded in Renfrewshire must be applicable to other places. The country, emerging from war, was suffering from distress such as had never previously been experienced, and, amidst surrounding poverty, New Lanark continued to flourish. Was it not possible, so Owen argued, to extend the system which he had instituted in Scotland to the whole country? Before this time he had attempted authorship; he had acquired some acquaintance with public business. As an author, he had published four essays on the Formation of Character. As a statesman, he had prompted the Factory Act for which the first Sir Robert Peel is still remembered. More ambitious, or less judicious, he came forward in 1817 with a scheme for regenerating the world. The world's regeneration was to be effected by the construction of quadrangular villages, whose inmates were to be employed and educated by the public. The children of each village were to sleep in the same dormitory, to be taught in the same school; their elders were to hold their property in common, to labour for the common good, and to be

[1] *Autobiography*, pp. 63, 64, 80, 84, 97; cf. Booth's *Robert Owen*, p. 39. Oberlin, a good Frenchman, was, I believe, the first individual who opened an infant school. Owen was the originator of infant schools in Great Britain—Booth's *Robert Owen*, p. 50, and cf. *Hansard*, vol. lxxxviii. p. 274. Bulwer Lytton, while an undergraduate at Cambridge, visited New Lanark, and was moved to tears at the cleanliness of the children. But, in the same afternoon, an old woman, a true Scot, assured him that Owen was 'a bad man, a vera bad man, has done a deal of mischief. The bairns turned out vera ill. They have never been taught *this*,' and she laid her locked hands on the Bible. Lytton's *Life*, vol. i. p. 303. The old Scotchwoman was only anticipating the verdict of a society almost as intolerant as herself.

supported out of a common purse. Purses, however, were to be unnecessary appendages in the new Utopia. Association was to supersede competition; labour was to supersede money. Association, Owen fondly hoped, would remedy all the evils of mankind. She was the enchantress by whom misery could be expelled.[1]

The enterprise which Owen thus undertook would under any circumstances have been surrounded with impediments. But Owen, at the very outset, voluntarily increased his difficulties tenfold by an unnecessary and irrelevant declaration. He came to London to spread the new evangel of association; and, at the second meeting which he attended, he deliberately denounced the gross errors of all existing religions.[2] Society had looked askance at the new doctrine of Socialism; it found an excuse for condemning it when its author attacked Christianity. Owen separated in this way from the upper classes who might possibly have moderated his opinions, and gradually becoming more and more deranged in his mind, was carried forward by the force of the flood which he had himself set in motion, till he almost forgot his quadrangular villages, labour certificates, and communistic principles, in the zeal of his attack on religion, property, and marriage.[3]

With the masses of the people, however, Owen's principles did not suffer because he adopted the views of Godwin and Tom Paine. In the great centres of population many of the more intelligent working-men openly adopted Socialistic principles. Socialistic newspapers obtained a ready and increasing sale; Socialistic lecturers found large and enthusiastic audiences; and Owen, undeterred by reverses, unconscious of the decay of his own mind, continued to believe in the regenera-

[1] For these opinions see Owen's *Autobiography*, pp. 107, 114, 154 *et seq.* and cf. Booth's *Robert Owen*, pp. 73, 86, 95.

[2] *Autobiography*, p. 161.

[3] See *The New Moral World*, and cf. the debates on Owen in *Hansard*, vol. li. pp. 510 and 1176.

CHAP. XVII. 1841.

tion of the world. Association, indeed, was capable of mighty efforts. Associations were combining for common objects the great masses of the British people. The working classes had, at last, discovered that there was strength in union, weakness in isolation; and were accordingly combining. These combinations,—Trades Unions, as they were called—primarily formed to influence the wage-rate, were soon applied to other objects; and one great association accordingly propagated Socialistic doctrines: another great association strove to obtain for the people the People's Charter.

The Chartists.

Socialism and Chartism flourished, in 1840, side by side. Both were due to the same great cause—the misery of the people. Both of them aimed at the same high object—the amelioration of the people's lot. Whatever excesses may have been committed under the two banners, whatever follies or crimes may have been perpetrated under their sanction, the cause of a suffering and prostrate people was—it should ever be recollected—the origin of both movements. Yet the two associations had widely different objects. The Socialist desired to improve the people's temporal lot. The Chartist thought that the first step towards the working-man's improvement was the working-man's enfranchisement. In 1832 the Legislature had enfranchised the middle classes. Since then legislation had undoubtedly been directed to the removal of many grievances of which the middle classes had complained. But the reformed Parliament had done nothing for the working-men. Nay, the reformed Parliament had deprived the working-men of the pension—called outdoor relief—which an unreformed Parliament had conferred upon them. The working-men, associated in their millions, were gradually learning that they were not a class, but a nation. They naturally concluded that if they were adequately represented in Parliament they would make the nation's laws.

Poor, ignorant, uninstructed men, they had little or no idea of what laws were wanted. They saw that the ruling classes were prosperous, and that they were degraded; and they conjectured that they were degraded because they were ruled: that their betters prospered because they ruled them. Poor, ignorant, uninstructed men, after all they only shared the opinions of Herr Teufelsdröckh: 'Man is a tool-using animal.' 'He digs up certain black stones from the bosom of the earth, and says to them, "Transport me and this luggage at the rate of thirty-five miles an hour," and they do it; he collects, apparently by lot, six hundred and fifty-eight miscellaneous individuals, and says to them, "Make this nation toil for us, bleed for us, hunger and sorrow and sin for us: and they do it."'[1]

The history of Chartism.

Chartism, in the sense in which the term is now used, had its origin in the closing years of the eighteenth century. Tom Paine and Horne Tooke were its apostles, the corresponding society was its central organisation, and Grey was its ablest Parliamentary exponent. But the movement languished amidst the reaction which resulted from revolutionary excesses in France; and it was not till 1817 that it regained its vigour. Regenerated amidst the terrible distress which afflicted the poor, the working classes then assembled in Hampden and Spencean Clubs. Hunt was their orator out of doors, Burdett their spokesman in Parliament. Manhood suffrage, vote by ballot, annual Parliaments, the abolition of the property qualification for members of Parliament, and paid representatives in the House of Commons, were the five objects at which they aimed.[2] The movement, which thus commenced, continued till after 1832. It prospered when times were bad; it languished when brisk trade made the labourer contented. But it was temporarily destroyed by the Reform Act of the Whig

[1] *Sartor Resartus*, p. 40.

[2] See *ante*, vol. i. p. 430.

CHAP. XVII. 1841.

Government. None of the five points indeed had been conceded by the Legislature. But the measure which had been passed was so unexpectedly broad that it satisfied the appetite of keen reformers. Burdett became a Tory county member; Bamford, who had been a martyr in 1817, published an autobiography with a Conservative epilogue; Cobbett and Hunt passed away; and the people, seeing wide reforms attempted, and professing unbounded faith in the new Legislature, awaited, with patience, the consummation of their expectations.

Things remained in this condition till after 1837. The period of distress which commenced in that year resuscitated an almost extinct agitation. In the intervening period a few men had clung to some at any rate of the principles of the Hampden clubs. Grote, in particular, had constantly brought forward motions for the ballot.[1] But though the ballot obtained a competent advocate, though motions for its adoption were in many cases supported by considerable minorities, everyone knew that no practical results would ensue from these discussions. A motion made in 1833 for shortening the duration of Parliaments met with a similar fate.[2] The Conservatives under Peel were arrayed in defence of law and order; the Whigs under Russell were at rest and were thankful; and the Radicals saw that the political changes which it was their first object to secure were becoming more and more difficult of attainment. The working classes again met together for the purpose of endeavouring to concert some measures for the improvement of their prospects. Political reforms were again suggested as a possible remedy for

[1] The motion was defeated in 1833 by 211 votes to 106—*Hansard*, vol. xvii. p. 667. In 1835 by 317 votes to 144—*ibid.*, vol. xxviii. p. 471. In 1836 by 139 votes to 88—*ibid.*, vol. xxxiv. p. 837. In 1837 by 265 votes to 153—*ibid.*, vol. xxxvii. p. 67. In 1838 by 315 votes to 198—*ibid.*, vol. xl. p. 1221; and in 1839 by 333 votes to 216—*ibid.*, vol. xlviii. p. 504.

[2] It was rejected by 213 votes to 164. *Hansard*, vol. xix. p. 1150.

social disorders. The old programme of 1817 was embodied in a document which became famous as the People's Charter, and the people thus became possessed both of a creed and a name. Their creed was contained in five articles of faith, their name was derived from the Charter in which the five articles were comprised.[1]

Its progress after 1838.

Throughout the whole of 1838 the Chartists were gradually acquiring cohesion and power. Every addition to the price of corn, every reduction in the wage-rate, every new name added to the roll of paupers, increased the authority and influence of the leaders of the movement. Towards the close of 1838 some of the more earnest among them busied themselves in assembling monster meetings to promote the success of their cause. The Tories, alarmed at the prospect of a new agitation, desired the Ministry to suppress these assemblies. Russell, instead of doing so, publicly declared at Liverpool in October that the people had a right to meet, had a right to free discussion.[2] It is not always wise in responsible Ministers to utter undoubted truisms of this character. Russell's declaration in October was followed by a great demonstration in November, at which 200,000 persons were supposed to be present. The gathering took place on a large open tract of country known as Kersal Moor; Fielden, the member for Oldham, presided over the meeting; Stephens, a man who had begun life as a Dissenting

[1] The Charter was agreed to at the British Coffee-house. *Hansard*, vol. li. p. 1223. There is no authority for the account of the origin of the Charter given by Mr. Molesworth, vol. ii. p. 309, which has been accepted as authentic by so usually a trustworthy authority as the *Encyclopædia Britannica*. That account is founded on a debate in the House of Commons supposed to have taken place in the spring of 1838. But the debate, which Mr. Molesworth inaccurately reports as occurring in 1838, only took place in the spring of 1839, *i.e. after* and not *before* the adoption of the Charter.

[2] The speech was made on the 3rd of October. It was quoted by Peel in the debate on the Address in 1839. *Hansard*, vol. xlv. p. 108, and cf. *Ann. Reg.*, 1839, Hist., 20.

CHAP. XVII. 1841.

minister, but who had been turned out of the ministry for advocating the separation of Church from State, was the chief spokesman; and resolutions were passed authorising Fielden as chairman to prepare petitions to both Houses of Parliament for the success of the Charter. These petitions were ultimately presented by Fielden in the Commons and by Stanhope in the Lords. Such names ought to have convinced most people of the nature of the movement which was assuming such vast proportions. Fielden, the colleague of Cobbett, and Stanhope, a Tory peer, had few things in common. The link which bound them one to the other was their common hatred of the new Poor Law.[1]

The meeting acquired notoriety from the language which was used by its chief spokesman. Stephens began prudently enough by declaring that the question of universal suffrage was a knife-and-fork question. The principle of the People's Charter was the right of 'every free man that breathed God's free air or trod God's free earth' to have a happy home. To enforce this principle was the object of the monster gathering. They had come unarmed; but three out of every four would have come armed if the constables and boroughmen of Manchester had not declared that they had placed the fullest confidence in the peaceable and loyal character of the demonstration. 'If they had not made that declaration,' said Stephens, 'I should have brought 10,000 armed men with me. I should have exhorted every man capable of bearing arms to flock to this standard, and under it to fight the battles of the Constitution.'[2] The free discussion, to which Russell, the month before, had declared that the people had a right, was obviously

[1] For the presentation of Stanhope's petition, *Hansard*, vol. xlviii. p. 799. Stephens, like Stanhope, it may be added, was more than half a Tory. See Holyoake's *Life of Stephens*, and cf. Frost's *Recollections*, p. 114.

[2] *Ann. Reg.*, 1838, Hist., p. 311.

capable of an inconvenient construction. A few days afterwards Stephens used still more inflammatory language at a torchlight meeting at Leigh in Cheshire. He advised the people to arm themselves, and to have pikes and guns over their chimney-pieces. They should approach any factories which were the object of their attack with a dagger in one hand and a torch in the other.

It was impossible for any Government to tolerate incendiary language of this description. Stephens was arrested on the 27th of December, and committed for trial;[1] but his actual trial did not take place till the following August, and the sentence of eighteen months' imprisonment, which was then inflicted on him,[2] was not in time to warn other Chartists of the consequences of their proceedings. When Parliament met in February 1839, the Chartists were displaying increased activity. Delegates from the large manufacturing towns were summoned to a National Convention in London; and the assembly of the Imperial Parliament was thus accompanied with the assembly of what was called a People's Parliament. Chartist newspapers were set on foot in many large towns to explain the principle of the movement; and the chief of them, the *Northern Star*, obtained a circulation of 50,000 copies. The *Northern Star* was the property of Feargus O'Connor, an Irishman, who claimed descent from the kings of Ireland, and who was nephew of Arthur O'Connor, a leader of the United Irishmen at the close of the previous century.[3] O'Connor himself was gradually becoming the leader of the new movement; but Lovett, an intelligent artisan, the secretary to the Working Men's Association; Vincent, a compositor, who displayed

The Chartist leaders.

[1] *Ann. Reg.*, 1838, Chron., 168.

[2] *Ibid.*, 1839, Chron., 147, and cf. Holyoake's *Life of Stephens*, p. 141 *et seq.*

[3] There is a good notice of O'Connor in Frost's *Recollections*, p. 169 *et seq.*

CHAP. XVII. 1841.

a good deal of oratorical power; and Ernest Jones, a republican barrister, on the staff of the *Northern Star*, supplied it with brains.

The upper classes were seriously alarmed at the strength of the organisation with which they were thus confronted. Hot Tories, sighing for one hour of Sidmouth and Castlereagh, attributed the growth of the movement to the encouragement which Russell had given to monster meetings.[1] The Ministry, however, declined to resort to repressive legislation for the maintenance of order, and had the courage to rely on the efficacy of the law and on the good sense and right disposition of the people.[2] For the first few months of 1839 their confidence seemed justified. The National Convention was busily preparing a monster petition to the House of Commons. The working classes, starving in their miserable cellars, were expecting immense results from this petition. It was presented. Instead of the respectful consideration which its promoters anticipated for it, the House regarded it with mere dislike. One member had the audacity to call it a 'ridiculous piece of machinery.' Even Disraeli, though he spoke in the debate, abstained from expressing the 'immortal truths' which, attributed by him on the occasion to an Egremont, drew tears from a Sybil;[3] and the House refused by a large majority to take the petition into consideration.

The petition rejected.

Such disappointment as the working-men then experienced had, perhaps, never before been felt by any people. 'It's not to be forgotten, or forgiven either, by me or many another,' so Mrs. Gaskell made John Barton speak of it. 'As long as I live, I shall curse them as so cruelly refused to hear us; but I'll not speak of it no

[1] See, for instance, Lyndhurst's speech in *Hansard*, vol. xlix. p. 455.

[2] See the Queen's Speech in 1839. *Hansard*, vol. xlv. pp. 5, 6.

[3] Cf. *Hansard*, vol. xlix. p. 246, and *Sybil*, bk. v. ch. i. For the 'ridiculous piece of machinery' see *Hansard*, vol. xlviii. p. 226.

more.'[1] Many of them sunk into a condition of sullen despair. Other Chartists, seeing that they had nothing to expect from peaceful agitation, openly desired to resort to force: and riots, attended with more or less disorder, occurred at Newcastle, Sheffield, Bolton, Llanidloes, Devizes, and other places. Local disorders, however, of this kind were soon suppressed; and the attention of the public was concentrated on the ominous assemblies of working-men which were taking place night after night in the Bull Ring at Birmingham. On the advice of Attwood, who had taken charge of the Great Petition, the National Convention had removed its sittings to that town. The Chartists naturally rallied round their delegates; and the borough magistrates, who had just entered on their duties,[2] were seriously alarmed at the menacing aspect of the population. The mayor applied for help to Russell; and Russell sent one hundred members of the London police to Birmingham.[3] The mayor, reinforced by these steady men, called upon the populace to disperse; and, on their refusing to do so, charged the monument, in the centre of the Bull Ring, which formed the platform of the meeting, and succeeded in capturing it. The people, though temporarily shrinking before the attack of an organised body, recovered their courage when they counted the number of their opponents. The police were in their turn assailed, and severely handled. Fortunately a regiment of dragoons, held in readiness for the occasion, advanced in time to render the constabulary effective support. The people scattered before the approach of the military. Some of the leading delegates, Lovett among the number, were immediately afterwards arrested, and order was restored.[4]

The riot in the Bull Ring at Birmingham.

[1] *Mary Barton*, ch. ix.

[2] The unfortunate magistrates seem only to have received their commission in the preceding January. *Hansard*, vol. xlix. p. 589.

[3] *Ibid.*, p. 86.

[4] *Ann. Reg.*, 1839, Hist., p. 305.

CHAP. XVII. 1841.

Awed by the presence of troops and police, the people were quiet. But the order which is maintained by force is like the calm which precedes the storm. For nine days the political atmosphere was lowering but still. On the tenth day, the people flocked to an open space in Birmingham to listen to a speech that it was expected that Attwood would make to them. Attwood never came, and the people resolved on parading the town. Arrived before the police office they broke the windows. A detachment of police inside the building had been forbidden to act without orders. By some extraordinary oversight no competent person was present to give them instructions. The populace, imagining that the passive attitude of the police was due to fear, renewed the attack. House after house, shop after shop, was sacked, and Birmingham bore the aspect of a town taken by storm.[1]

The riot was ultimately quelled by the approach of the military. But the fears which the riot had naturally caused could not be allayed with equal ease. Even at the end of July the Ministry felt that Parliament could not separate without devising some means for preventing fresh outrages. London police, maintained at the expense of London ratepayers, could not be permanently spared from London for the centres of disaffection; and there was no district in which it was not possible that disturbances might arise. 'If they looked to the towns,' said Attwood, 'nine out of every ten men were Chartists! If they looked to the country, nine out of every ten men were rick-burners!'[2] In the presence of an overwhelming force of Chartists and rick-burners, the Ministry concluded that it was neces-

[1] It was of this riot that Wellington said, 'I have been in many towns taken by storm, but never have such outrages occurred in them as were committed last night' in Birmingham. *Hansard*, vol. xlix. p. 374. It is a remarkable proof of the prevailing panic that the Duke should have given such an opinion on the reports which he had read in the newspapers.

[2] *Hansard*, vol. xlix. p. 949.

sary to increase both constabulary and troops. Seven thousand men were added to the army. Bills were introduced and hurried through Parliament authorising the constitution of constabulary forces in Manchester and Birmingham; and finally a measure was adopted empowering the magistrates in any county to establish a local police. The measures which were thus introduced were not passed without debate. Attwood roundly declared that Russell was trying to govern by force, and predicted his failure—'It was easy to put down a mob, but it was not easy to put down a nation;'[1] and Disraeli, more zealous than even Attwood, declared that the Ministry was commencing civil war. Panic-stricken by the riot in the Bull Ring, Whigs and Tories supported Russell. Only two members accompanied Disraeli into the lobby to throw out the Birmingham Police Bill; and Fox Maule, the Under Secretary of State for the Home Department, told the future leader of the Tory party that by his vote he had become 'the advocate of riot and confusion.'[2]

Without suspending the Habeas Corpus Act, without resorting to exceptional legislation, by simply rely-

[1] *Hansard*, vol. xlix. p. 1168.

[2] *Ibid.*, pp. 694, 734. In proposing the Local Police Bill, Russell, accurately enough, called it a purely permissive measure. Disraeli said he 'did not know where the noble Lord got the soft epithet; it was not English.' *Hansard*, vol. l. p. 117. If he had referred only to his *Johnson* he would have found that the word was used in the same sense by Shakespeare, Milton, and Bacon. The army was increased by raising the strength of each infantry regiment from 739 to 800 men. The scheme is explained in *Hansard*, vol. xlix. pp. 629 and 1148. The corporation of Birmingham and Manchester had no power under their charters to raise a police rate; and Russell accordingly proposed to advance the town of Birmingham 10,000*l.* for the purpose, to be repaid out of the rate which he authorised them by a new statute to raise. On Peel's advice the measure was recast, and the new force, instead of being placed under the corporation, was placed under commissioners. For these debates, *Hansard*, vol. xlix. pp. 698, 956, 1193; vol. l. pp. 140, 149, 154. Up to 1839 there was no local police except the force which had been established under private Acts. The Act of 1839 enabled the magistrates of any county to establish a local force. *Hansard*, vol. xlix. p. 727. The present constabulary forces, except those in London, may be said to date from the Chartist riots of 1839. But the police acts remained a 'permissive' measureis till 1856. See Maitland, *Justice and Police*, p. 109.

CHAP. XVII. 1841.

Chartism checked.

ing on the ordinary laws, and increasing the force at the disposal of the authorities, the Whig Government was dealing with the most formidable organisation of the century. But its courage was justified by its success. In August, Vincent was tried at Monmouth for sedition, Lovett at Warwick for issuing a seditious libel; and Vincent and Lovett were both sentenced to twelve months' imprisonment. Many other prominent Chartists were convicted of sedition about the same time.[1] O'Connor himself was arrested in Manchester in September, the National Convention was dissolved,[2] and the great mass of the Chartists, discouraged at the loss of their leaders, and unable to act alone, relapsed into the miserable condition of torpid despair, the normal lot of English poor only a little more than forty years ago.

A few Chartists, however, still clung to the ideas in which the movement had originated, and thought that, if the working classes could only be induced to rise, the force of numbers must ensure them a victory. A single victory at any one place would, it was concluded, be rapidly followed by other risings elsewhere. The town of Newport in South Wales was supposed to be favourably situated for such an outbreak. It commanded the direct road from Wales to London; it was in easy communication with a large mining and manufacturing population; it was held by only a small force of soldiers; and it was the usual residence of John Frost, a Chartist leader, who had been made a borough magistrate under the Corporation Act of 1835, but who had been removed by Russell from the commission for seditious language at local meetings.[3]

[1] These trials will be found in *Ann. Reg.*, 1839, Chron., pp. 128, 129, 178 *et seq.*

[2] *Ibid.*, p. 170.

[3] The correspondence between Russell and Frost is reprinted in *Ann. Reg.*, 1839, Chron., p. 22; cf. *Hansard*, vol. xlv. p. 220, and vol. li. p. 657.

The march upon Newport.

Frost arranged with the Chartists of Pontypool, Risca, and other places in the neighbourhood, that they should assemble upon Sunday, the 3rd of November, march upon Newport, and seize the town. The Chartists were to be organised in three divisions. Frost himself was to command the first division; Jones, a watchmaker of Pontypool, the second division; Williams, a beershop keeper of Nant-y-glo, the third division; and the three divisions were to converge upon Newport at two o'clock on the Monday morning. The night, however, proved stormy. The cold rain chilled the men's spirits; the deep mud delayed their movements. The men of Nant-y-glo arrived late; the men of Pontypool never arrived at all. The blow, which was to have been struck in the dead of the night, was in this way delayed till ten o'clock in the morning; and the authorities, instead of being surprised, were able to make the necessary preparations. Two roads are available for any person coming from Risca to Newport; but both roads converge near a building which still stands, the Westgate Hotel. The rioters could not avoid passing the building; and the authorities accordingly decided on making it their head-quarters. Phillips, the mayor of the town, threw a small force of troops and special constables into the hotel. The Chartists formed up before it, and commenced firing into the windows. The mayor, with commendable courage, read the Riot Act while the bullets were whistling around him; and then, and only then, ordered the soldiers to fire. Their shots took terrible effect on the dense mass of human beings crowded before the hotel. Twenty Chartists were shot dead, many others were wounded, and the remainder were driven back in disorder. Their retreat gave the little garrison of the hotel leisure to examine their own losses; and they then discovered that the mayor, who

CHAP. XVII. 1841.

had behaved with such coolness and gallantry, was unfortunately wounded.[1]

The failure of the attack on the Westgate Hotel terminated the Chartist movement in 1839. Frost, tried under a special commission at Monmouth, was found guilty of levying war against the Queen. Williams and Jones were found guilty of the same offence; and on the 16th of January the three prisoners were sentenced to the punishment which the law still awarded to high treason. The sentence was memorable for two reasons. In the first place, no persons have since been convicted of high treason in Great Britain; and, in the next place, the brutal sentence which the judges were compelled to pronounce on the occasion of their conviction can, happily, never again be heard on English soil.

The trial of Frost.

If the trial be worth remembrance from these two circumstances, it seemed at the time still more noteworthy from a technical objection to the proceedings. The Act of Anne, which regulated trials for high treason, directed that a list of the witnesses and of the jury should be given to the party indicted, at the same time that the copy of the indictment was delivered to him ten days before the trial.[2] By a stupid blunder, the indictment and the jury list were handed to the prisoners nineteen days, and a list of the witnesses fourteen days, before the day appointed for the trial. It could not be contended, therefore, that the list of witnesses

[1] *Ann. Reg.*, 1839, Chron., p. 221; cf. *ibid.*, 1840, Chron., p. 203. Phillips's wound was not serious, and, six years afterwards, Parliament seriously discussed whether he was wounded by a shot in the hand, or accidentally cut by a pane of glass. *Hansard*, vol. lxxxiv. p. 921. He was knighted for his conduct, and is the only mayor who, in modern times, has received that distinction for military services. On Greville's suggestion, he was invited, on the day of his knighthood, to dine with the Queen at Windsor. *Greville Memoirs*, 2nd part, vol. i. p. 249, where there is a pleasant notice of his behaviour. One of the wooden columns in front of the Westgate Hotel is (or was in 1881) still standing pierced by a bullet-hole. I believe this bullet-hole is the only relic of Chartism which still exists in England.

[2] 7 Anne, cap. 21, sec. ii.

was handed to the prisoners at the same time as the indictment; and it was, consequently, argued that none of the witnesses named in the list could be examined at the trial. Tindal, Chief Justice of the Common Pleas, who presided at the trial, leant to the view that the objection was valid; but his brother judges were of a contrary opinion; and it was finally decided to reserve the question for the opinion of all the judges. The reference to Westminster Hall, however, only increased the dilemma. Nine judges out of fifteen were of opinion that the delivery of the list of witnesses was not a good delivery in point of law; but nine judges out of fifteen were also of opinion that the objection to the delivery was not taken in due time.[1] The conviction was therefore good. But the conviction was only good because the objection was made a little too late. The Government rightly concluded that it was impossible to carry out a frightful sentence, when its validity depended on a technical point on which Westminster Hall itself spoke with an uncertain utterance, and commuted the sentence for one of transportation for life.[2]

For three years after this trial, Socialism and

[1] Warren, reviewing the Chief Justice's conduct on this occasion, called it 'the very model of judicial excellence.' *Miscellanies*, vol. ii. p. 104. The article from which this extract is taken gives an excellent account of the technical difficulty referred to in the text. Campbell, on the contrary, who led for the Crown, declared that the Chief Justice laboured for an acquittal. *Life of Campbell*, vol. ii. p. 127. Greville was of Campbell's opinion. *Memoirs*, 2nd part, vol. i. p. 256, and 260 *note*, see also *Ann. Reg.*, 1840, Chron., p. 10.

[2] Campbell takes credit for having 'succeeded, against the opinion of several members of the Cabinet, in having the sentence commuted to transportation for life.' *Lives of Lord Lyndhurst and Brougham*, p. 27. It may be added that in March, 1840, Leader tried to obtain a free pardon for Frost and his associates, and was beaten by 53 votes to 5. The minority consisted of Disraeli, Duncombe, Fielden, Hector, and Wakley. *Hansard*, vol. lii. p. 1140. On the 25th of May, 1841, Duncombe presented a petition, signed by 1,300,000 persons, praying for the liberation of the political prisoners, and for the recall of Frost &c. from transportation. The House divided on the first part of his motion to give effect to the prayer, 58 to 58; and the Speaker gave his casting vote with the noes, on the ground that the motion interfered with the prerogative of the Crown. *Ibid.*, vol. lviii. p. 764.

CHAP. XVII. 1841.

Chartism—the two great movements which had agitated the country—gradually ceased to attract attention. Dejected by the punishment of their leaders, and convinced of their own impotence, the masses of the people relapsed into apathy, and the ruling classes congratulated themselves on the extinction of a flame which they had only temporarily smothered. But, though Chartism and Socialism ceased to attract attention, another association due to the same causes was gradually becoming a power in the State. The Socialist desired to promote the prosperity of the people by teaching them the value of co-operation. The Chartist wished to attain the same object by conferring the franchise upon them. The Anti-Corn Law League proposed to accomplish the same result by giving them cheap food.

The Corn Laws.

It is difficult to understand how reflecting persons could venture on defending the miserable legislation which was originated in 1815. Based on selfishness, it had resulted in failure. The country gentlemen, bent on maintaining rents by sustaining the price of corn, had persuaded a pliant Minister to prohibit the importation of wheat when its price was below 80*s.* a quarter. They were good enough to allow that 4*l.* a quarter was a remunerative price, and they thought that they had secured this price for ever by enacting this monstrous law. The result proved that they had not secured it for three years. The Legislature, by naming a remunerative price for corn, induced everyone to grow corn who could afford to produce it at a profit at the price at which the Legislature had fixed.[1] The law, therefore, which had destroyed the competition of the

[1] It may perhaps be desirable to show how protection actually lowered the price of corn and wheat. The consumption of wheat in the United Kingdom rose from 8,580,000 quarters in 1814, to 15,000,000 quarters in 1842. The whole 8,580,000 quarters in the former, and about 13,700,000 quarters in the later year consisted of home-grown wheat. Ac-

foreigner led to a vast increase in the growth of corn at home; and the price of wheat, instead of being maintained at 80*s.*, gradually fell to 45*s.* in 1822. This experience ought to have taught both country gentlemen and Legislature that the law was based on an error in principle. Instead of doing so, it only satisfied them that it contained an error in detail. Forced to admit that they could not raise the price of wheat to 80*s.*, they saw no reason why they should not endeavour to fix it at 70*s.* It was accordingly decided in 1822 that when the price of wheat rose to this sum foreign corn should be admitted. In one sense the law of 1822 was an improvement on the law of 1815. It diminished the bribe to the farmer by one-eighth. But it contained the old defect. It unduly promoted the growth of corn at home, and consequently lowered the price; and wheat never rose while the law continued in force to the price at which the Legislature had endeavoured to fix it. This circumstance made it as necessary in 1827 to alter the law of 1822, as it had proved in 1822 to alter the law of 1815. The dis-

The Acts of 1815 and 1822.

cording to some elaborate calculations of Lord G. Bentinck, the production of wheat per acre had risen from an average of 17 bushels (2⅛ quarters) in 1821, to 26 or 28 bushels (say 3⅜ quarters) in 1842. Even assuming that the land did not increase in fertility from 1814 to 1821, some 4,000,000 acres would have been sufficient to produce 8,500,000 quarters in 1814; and the same quantity of land would have produced 13,500,000 quarters in 1842. Lord George Bentinck's figures were founded on calculations made by Mr. Wakefield, Mr. McCulloch, and Mr. Gregor—see *Hansard*, vol. lxxxiv. p. 336. Lord George Bentinck's calculations may be confirmed by comparing Arthur Young's calculations made at the close of the eighteenth century with Sir J. Caird's recent investigations, see *Encyclopædia Britannica*, vol. i. p. 358. It follows that the land which was required to grow the whole supply of wheat in 1818, was adequate to furnish the whole home supply of wheat in 1842. But in the interval something like 1,500,000 acres had been enclosed (Porter's *Progress of the Nation*, p. 154). If only one-fifth of this land was under wheat, it would have raised the total yield to upwards of 15,000,000 quarters—or to more wheat than the country required. In short, the Corn Laws, by proposing to maintain corn at a certain price, stimulated the enclosure of land and its improved cultivation. The supply of wheat, in consequence, overtook the demand; and its price, as a matter of course, fell.

CHAP. XVII. 1841.

cussion which then ensued, after nearly breaking up two Cabinets, resulted in the law of 1828. Under the Act of this year the duty on corn varied with its price; and the landowners were given—as it was thought—adequate protection by heavy duties when the price was low.

and of 1828.

The law of 1828 was not much more successful than the Acts of 1815 and 1822. The average price of wheat, indeed, rose to 3*l.* 6*s.* 3*d.* in 1829; but it gradually fell to 1*l.* 19*s.* 4*d.* in 1835. Six years' experience showed that a sliding scale was incapable of steadying the price or of securing adequate remuneration to the farmer. And the agriculturist found himself opposed to an opposition such as he had never previously encountered. In an unreformed Parliament, almost every member represented an agricultural constituency, or a patron who was a landowner. In the reformed Parliament the great towns who sent members to Westminster for the first time hated the selfish legislation of the landed interest. Economists saw that a fixed duty on corn would produce more revenue than a sliding scale, and be free from some of the objections of the existing system. Early in 1834 Hume endeavoured to give expression to this belief. He was beaten by a majority of two to one; but the tone of the debate and the numbers at the division proved that the question had entered on a new phase. Even a reformed Parliament was unprepared to amend the Corn Laws; but it could not refuse to consider the propriety of amending them.[1] For a year or two after Hume's motion the question was not reopened. The Parliament which was elected at the close of 1834 under Peel's auspices was less inclined to interfere with the privileges of landowners than the first reformed

[1] *Hansard*, vol. xxi. pp. 1197–1262, and 1266–1345. Hume was beaten by 312 votes to 155.

House of Commons. It was not till 1837 that a motion was again made for the repeal of the Corn Laws. The agriculturists had no reason to be dissatisfied with the division. In 1834 they had secured a majority of two to one; in 1837 their majority increased to five to two. The true significance of the motion, however, arose from the circumstance that it was seconded by Mr. Villiers, the brother of Clarendon, a nobleman about to join the Whig Ministry; and that three members of the Government, Lord Howick, Poulett Thomson, and Morpeth, voted in its favour.[1]

CHAP. XVII. 1841.

In the following year Mr. Villiers himself renewed the motion which had been made in 1837. But the House did not show much disposition to listen to him. It was gradually becoming plain that Parliament was reflecting the views of the electors, and that the education of the country must consequently precede the conversion of the Legislature. In 1836 a small association had been formed in London for advocating the repeal of the Corn Laws. In 1838 a similar association was formed in Manchester with the same object.[2] At one of its earliest meetings, the Manchester association was joined by a young man, the son of a Sussex yeoman, who, commencing with no advantages, had become in a few years a successful tradesman. Nature had given him a sound mind, which study had matured and travel had enlarged. He had already published two pamphlets, in which he had endeavoured to arrest the progress of prevalent ideas. In them he had based the domestic policy of England on peace and retrenchment, and he had reprobated the panic fear of Russia which animated the Foreign Office. But he was already meditating a

The Corn Law League.

Richard Cobden.

[1] *Hansard*, vol. xxxvii. p. 562. The division was 223 to 89.

[2] I have followed in the text the account given by Mr. Morley in *Life of Cobden*, vol. i. p. 143 *et seq.* A slightly different account was given by Stafford O'Brien in the House of Commons. *Hansard*, vol. lxxv. p. 1461. And O'Brien is indorsed by the *Quarterly Review*, vol. lxxi. p. 247.

CHAP. XVII. 1841.

greater work than the publication of pamphlets on Peace and Russia. The Corn Laws were the visible monument of the political ascendency of the landed classes; they were interfering with the growth of trade. Impressed with these views this young man—well known afterwards as Richard Cobden—joined the Manchester Association. His untiring energy, his clear brain, and his ready tongue made him, at once its commander and its prophet.

Under Cobden's guidance the Corn Law Association became the Corn Law League.[1] At Cobden's invitation the League was soon joined by another man, who became, after O'Connell's death, the greatest declaimer of his generation. Mr. Bright, who, like Cobden, was a manufacturer, was five years younger than his friend and leader. He was, perhaps, less able than Cobden to influence educated men; but he was much more capable of moving an ordinary audience. Instead of reasoning, he declaimed; and declamation has more effect than argument on the many. Ignorant of the dead languages, he had endeavoured to repair his deficiencies by a careful study of the great English classics. This study at once accounts for the vigour and the simplicity of his style. The orator who founds his eloquence on a study of Greek and Latin instinctively uses Greek and Latin words. The orator versed in Elizabethan and Cromwellian writers prefers the old English words which they used. He speaks a purer and a simpler English, and produces the effect attaching to pure and simple language.

Mr. Bright.

With these two men as its leaders, the Corn Law League commenced its great agitation. It undertook to convince the manufacturer that the Corn Laws were interfering with the growth of trade; to persuade the

[1] Prentice, *History of the Corn Law League*, vol. i. p. 115, and cf. Morley's *Cobden*, vol. i. p. 149.

people that they were raising the price of food; to teach the agriculturist that they had not even the solitary merit of securing a fixed price for corn. These truths were circulated by the press and proclaimed at public meetings till hundreds of thousands of persons, who had hitherto believed in the Protectionist's creed, became gradually convinced of its errors, and accepted the doctrine of the League. A series of unfavourable seasons which reduced the supply, and raised the price of wheat, gave emphasis to its teachings. The change which was thus effected in opinion out of doors produced an immediate impression on the House of Commons. In 1838 Villiers with difficulty secured the support of 95 members for his motion. In 1839 he received the support of 172 members.[1] Encouraged by this success, he renewed the attack by moving for a Committee of the whole House on the Act of 1828. He was beaten by 342 votes to 195;[2] but the minority was the largest which he had as yet procured; and Russell, Palmerston, Spring Rice, Morpeth, Hobhouse, Lord Howick, Labouchere, Baring, George Grey, and Wood, all voted in the minority.[3]

Parliamentary motions.

Years passed before the Corn Law League obtained equal Parliamentary success. Though Mr. Villiers renewed his motion in 1840, he failed to obtain as effectual support as he had received in 1839; and Peel took occasion in the debate to declare liberal protection to domestic agriculture indispensable.[4] The agriculturists

[1] *Hansard*, vol. xlv. pp. 609–691.

[2] *Ibid.*, vol. xlvi. pp. 333, 859. Graham, in this debate, delivered the remarkable opinion that if the Corn Laws were repealed this was the last country which he should wish to inhabit. *Ibid.*, p. 695.

[3] While the debate was going on, Melbourne, speaking on a motion of Fitzwilliam's, declared before God that he considered leaving the whole agricultural interest without protection the wildest and maddest scheme that had ever entered into the imagination of man. *Ante*, vol. iii. p. 530. Hume, on seeing the division list, said that Melbourne's colleagues were absolutely worse than madmen. *Hansard*, vol. xlvi. p. 727.

[4] Peel's declaration is in *Hansard*, vol. li. p. 1042.

CHAP. XVII. 1841.

were elated at this declaration of a statesman who seemed on the point of securing power. They were not discouraged by the policy of the Whigs in the following year. No one gave the falling Ministry any credit for proposing a fixed duty on corn. Protectionists rallied round Peel and contributed to his success at the polling-booths. Even the Corn Law League, though it secured a seat for Cobden at Stockport, seemed powerless against a compact Conservative majority.

The exertions of the Corn Law League.

There are men, however, whose true worth is only proved in difficulty. The defeat of the Whigs roused Cobden to fresh efforts and the Corn Law League to new exertions. In 1838 it had pledged itself to secure free trade in corn by all legal and constitutional means. In 1839 it issued the Anti-Corn Law Circular; and in 1840 it spent 5,700*l.* in distributing 160,000 copies of the circular, 150,000 pamphlets, and in delivering 400 lectures to 800,000 persons. But, after the defeat of the Whigs, it adopted stronger measures. Instead of appealing to the middle classes it decided on addressing the lower orders. The Anti-Corn Law Circular became the anti-bread tax circular. Bakers were persuaded to bake taxed and untaxed shilling loaves, and, on the purchaser choosing the larger loaf, to demand the tax for the landlord. The League had only spent 10,000*l.* on the agitation up to the autumn of 1841; it had expended 90,000*l.* before the autumn of 1842.[1] In 1843 it collected 50,000*l.*; in 1844, 100,000*l.*; in 1845, 250,000*l.*, for the support of the agitation.[2]

Associations.

Thus association was the distinguishing characteristic of the closing years of the Whig Ministry. The working

[1] *Quarterly Review*, vol. lxxi. pp. 247, 250, 265.

[2] Prentice's *History of the Corn Law League*, vol. ii. p. 298. It ought to be added that the institution of cheap postage facilitated the operations of the League. It was thenceforward able to distribute its circulars post free—the stamp on the circular covering the postage. *Ibid.* vol. i. p. 131.

classes were Socialists and Chartists; the middle classes were members of the Corn Law League. The same spirit, it will be seen from later chapters, animated other sections of the community. Religious men in England were associating to strengthen the Church; religious men in Scotland were associating to free the Scotch Church from State trammels. In Ireland, the people were organised in millions for the cause of temperance; they were associating in millions for the sake of repeal. The majority of these associations were regarded with the utmost distrust by regular politicians, who were, however, enrolling themselves in Conservative associations to promote the interests of their own political friends, and in agricultural societies to resist alterations in the Corn Law.[1] In their eyes a member of the Corn Law League was almost as dangerous as a Socialist or a Chartist. Like the Socialist and the Chartist he frequented meetings where 'he was addressed by demagogues in dangerous and inflammatory language.' Opinions such as these were undoubtedly fostered by the steps which were taken to suppress association in Ireland. 'When some kinds of associations are prohibited and others allowed,' wrote De Tocqueville, 'it is difficult to distinguish the former from the latter beforehand. In this state of doubt men abstain from them altogether, and a sort of public opinion passes current which tends to cause any association whatsoever to be regarded as a bold and almost illicit enterprise.'[2] De Tocqueville's conclusion never received a better illustration than in 1841. The Conservatives who had supported their own leader in suppressing the Catholic Association in 1829, and who had supported their opponents in repressing the Char-

[1] The Royal Agricultural Society was formed in 1838, and incorporated in 1840.

[2] *Democracy in America*, vol. ii. p. 107.

CHAP. XVII. 1841.

tists in 1839, clamoured in 1842 for the suppression of the Corn Law League.

Yet it must not be supposed that association was the only remedy suggested for the difficulties of 1842. The foremost thinkers of the age were gradually concluding that only two solutions were possible. 'Two things, great things, dwell, for the last ten years, in all thinking heads in England, and are hovering, of late, even on the tongues of not a few,' so wrote Carlyle in 1839. 'Universal education is the first great thing we mean; general emigration is the second.'[1] Yet the two remedies seemed impossible to statesmen and philanthropists. In each of the five years ending 1840, less than 68,000 persons on an average left the country.[2] The stream of emigrants was so small that it made little or no impression on the desolating ocean of pauperism which had flooded the country. In the same period the Government tardily determined to apply the sum of 30,000*l.* a year to the education of the people. Yet this little dole, reluctantly conceded, proved powerless to overtake the growing demand for schools, and the masses of the people grew up to manhood and womanhood in ignorance of the simplest elementary knowledge.

Emigration and education.

Facilities, however, for emigration were being gradually extended. It has been already stated in this history that a steamer crossed the Atlantic in 1819. But the adventurous vessel only used her steam as auxiliary to her sails, and she spent twenty-five days on her voyage from Savannah to Liverpool. Her feat, therefore, proved little or nothing, and twenty years passed before the practicability of bridging the Atlantic

[1] *Miscellaneous Essays*, vol. v. p. 410.

[2] Porter's *Progress of the Nation*, p. 126. 139,000 persons emigrated from the United Kingdom in the ten years ending 1830; 672,000 persons in the ten years ending 1840.

with steam was satisfactorily demonstrated. Yet steam was perpetually winning fresh triumphs. In 1835, Hobhouse declared that the monsoon blew with such violence on the Red Sea that no steamer could be built large enough or strong enough to face it. Five years afterwards, the same Minister acknowledged that steam, on the Red Sea, had shortened the journey to Bombay to thirty-eight days, and asked the House of Commons for 50,000*l.* to improve the communication.[1] In 1837 the Irish Railway Commissioners were seriously debating the possibility of building a steamer which could cross the Atlantic.[2] 'It was proved by fluxionary calculus that steamers could never get across from the farthest point of Ireland to the nearest of Newfoundland; impelling force, resisting force, maximum here, minimum there; by law of nature, and geometric demonstration; —what could be done? The "Great Western" could weigh anchor from Bristol Port; that could be done. The "Great Western," bounding safe through the gullets of the Hudson, threw her cable out on the capstan of New York, and left our still moist paper demonstration to dry itself at leisure.'[3] In plain English, while commissioners were speculating, engineers had won a fresh victory over matter. In 1838 the 'Great Western' sailed from Bristol to New York; in 1840, one Cunard, a name to be remembered afterwards, launched a steamer for Atlantic voyages. In 1842 the average duration of an Atlantic passage had been reduced to fifteen days.[4]

These inventions naturally increased the facilities for emigration. It was Stephenson's boast that he

[1] *Hansard*, vol. xxx. p. 609, and vol. liii. p. 1331. Gibbon, in his account of Mecca, observes that the seasonable arrival of her caravans relieved the ships of India from the tedious and troublesome navigation of the Red Sea. *Gibbon*, vol. ix. p. 228.

[2] *Parl. Papers*, 1837–8, vol. xxxv. p. 525.

[3] Carlyle's *Miscellaneous Essays*, vol. v. p. 408.

[4] *Hansard*, vol. lxiv. p. 727.

CHAP. XVII. 1841.

would make it cheaper for a working-man to travel by a railway than to walk. It is hardly an exaggeration to say that steam reduced the cost of an emigrant's passage from pounds to shillings;[1] and thus prepared the way for the mighty exodus of the ensuing decade. But there was another impulse, even stronger than steam, which was slowly tending to improve the lot of the poor. The progress of human invention was seconded by the progress of human thought; and the mind of man, revolting against cruelty, was no longer inclined to tolerate cruelty to the poor.

The spread of humanity.

An attempt was made, in the preceding volume, to trace the movement which abolished cruel punishments, which prohibited cruel sports, which forbade the infliction of cruelty on animals, and which subsequently led to the abolition of slavery and the passage of the Factory Act of 1833. Humanity did not rest from its labours after securing these triumphs. Slavery had, at length, been abolished in British dominions, but the slave trade was still conducted in foreign vessels. Every effort, however, which it was possible to exert was made by the British Government to stop the traffic: men-of-war were employed to search and intercept the traders; an expedition was fitted out at vast expense to form a settlement on the banks of the Niger; and treaties were constantly concluded with foreign nations, authorising the detention and search of suspected vessels. But these measures only led to very partial success. The men engaged in opening out the Niger died of fever, and the expedition was abandoned.[2] The slave-ships constantly succeeded in evading the cruisers; and the crews of men-of-war suffered from the climate in which their service was performed. The

Slaves.

[1] The cost was estimated in 1827 at 20*l.* a head. *Ante*, vol. iii. p. 94.

[2] An account of the expedition will be found in Buxton's *Life*, ch. xxx. xxxi.

slave trade continued to inflict such suffering on humanity as even, in another age, the Inquisition itself had not occasioned. From 120,000 to 150,000 slaves were annually landed in America. But these figures give only an imperfect idea of the misery which the trade produced. The slaves were originally torn from their homes by armed force. A village was surrounded at night, starved into submission, the youngest and oldest were killed, and the caravan formed from the remainder of the population. The unfortunate captives were driven barefooted from their homes to the coast. Hundreds fell exhausted by the way, those that survived the journey were subjected to the selection of the slave captain. It was stated that two slaves were torn from their homes for every slave which was accepted by the trader. The others died on the journey; or, too sickly to be worth keeping, were destroyed on the coast. One third of the residue commonly succumbed to the horrible sufferings of the Atlantic voyage; and, for every 130,000 slaves landed in America, 400,000 were drawn from the interior of Africa.[1]

Such stories, published in this country, excited the pity of the people, and drove them to extraordinary exertions for suppressing the trade. The Queen's husband pleaded the cause of the abolitionists in his first public speech.[2] The Tories secured protection for the West Indies on the pretext of excluding slave-grown sugar from the market; and wiser persons than Mrs. Jellyby speculated on the prospects of the 'hundred and seventy families' who were to plant civilisation and free labour on the left bank of the Niger. The zeal of these people in the cause of the negroes tended, indeed, to create a reaction against them. Ebenezer Elliott denounced the false charity which

[1] *Hansard*, vol. lxxvi. pp. 922, 924, 931.

[2] Martin's *Prince Consort*, vol. i. p. 87.

CHAP. XVII. 1841.

sought objects for its exercise abroad, and neglected suffering at home, in one of his finest stanzas—

> Their lofty souls have telescopic eyes,
> Which see the smallest speck of distant pain,
> While at their feet a world of agonies,
> Unseen, unheard, unheeded, writhes in vain;

and Dickens, coining an epigram out of the stanza, described the 'Borrioboola Gha' mission as, telescopic philanthropy.

Africa, however, was not the only object which was exciting the sympathy of the humane. In 1824 Martin had persuaded the Legislature to prohibit cruelty to animals. In 1839 a Metropolitan Police Bill for-

Dogs.

bade the use of dogs for drawing carriages in the metropolis. The measure was not solely due to humanity. The poor man's dog-cart was occasionally in the way of the rich man's carriage; and the convenience of the upper classes was, therefore, promoted by a measure nominally passed for the prevention of cruelty. Fifteen years, indeed, elapsed before the Legislature thought it necessary to extend the law to the rest of the country, where the traffic was comparatively small. Some persons thought that there was not much more cruelty in compelling a dog to draw a burden than a horse or an ass; and that, if nature had not made the dog perspire at the tongue, and thus display an apparent distress which it did not feel, nothing would have been heard about the cruelty of so using it. Other persons reminded the Legislature that the dog was the poor man's horse, the frequent source of the poor man's livelihood, and that to prohibit its use was to increase the distress of the poor; while others again marvelled at the inconsistency of the Legislature in preventing the use of dogs in drawing carts in London,[1] before it

[1] For the early Parliamentary history of the measure, see *Hansard*, vol. xxxviii. p. 1761, vol. xlix. p. 1055, vol. lv. p. 979, vol. lviii. pp. 1356, 1573, vol. lxvii. 971, vol. lxviii. p. 318, vol. civ. p. 927.

stopped the employment of children in 'hurrying' coal. Yet its conduct only illustrated the old adage, that the eye produces more impression than the ear on the brain. Everyone could see the dog working in daylight in the streets of London; few persons saw the poor child working in the dark galleries of a coal mine; and protection was, in consequence, accorded to the one before it was extended to the other.

Humanity, however, the offspring of sensation rather than of reason, cannot be expected to be always consistent and wise; and the exertions which were made in the cause of slaves and dogs, at any rate testified to the kindly instincts of the generation which employed them. Charity naturally occupies itself with the unhappiest members of the population; and the criminal was still engaging the attention of reformers. The alterations which Peel had made in the Criminal Code had indeed relieved it from many of its worst features. The reforms which had thus been introduced had been extended in 1837; and capital punishment had in that year been limited to the worst crimes.[1] Ewart, the

Criminals.

[1] Russell, in moving the bill of 1837, said that, in the three years ending 1834, there had been 165 sentences to death in France, and 90 executions; and 1,494 sentences in England and Wales, and 85 executions. Capital sentences were pronounced nine times as frequently, and carried out less frequently than in France. He proposed in 1837 to repeal the punishment of death for (1) offences against the Riot Act, (2) rescuing persons charged with murder, (3) burning H.M.'s ships in dockyards, (4) inciting soldiers and sailors to mutiny, (5) administering unlawful oaths, (6) escaping from Millbank, (7) offences against Slavery Abolition Acts, (8) offences against Smuggling Acts. *Hansard*, vol. xxxvii. pp. 720, 721. The bill was carried except as to (3) and became the 7 William IV. and 1 Vict. c. 91. In the same session the pillory, which had fallen into disuse, was definitely abolished. *Ibid.*, caput. 23. In 1840 Ewart introduced a bill for the abolition of capital punishment in all cases; and Kelly, afterwards Chief Baron of the Exchequer, another bill for its restriction to certain crimes. Russell endeavoured to extend the scope of Kelly's bill to arson of H.M.'s ships and to rape, and was beaten. He accordingly voted against the bill, which was rejected on its third reading. It was reintroduced in 1841 by its author; but abandoned on the introduction of a bill by Russell, which became law, and further limited the punishment of death. *Hansard*, vol. lii. p. 914, vol. lv. pp. 20, 734, and 1101, vol. lvii. pp. 47, 148.

CHAP. XVII. 1841.

member for Dumfries, indeed, had the courage to declare that it ought to be abolished for every crime but murder; and the instruction to the committee which he moved to that effect was only defeated by a majority of one.[1] The narrow majority by which his motion was rejected is a striking proof of the determination of the people to put down cruel and excessive punishments.

Yet death could still be inflicted for many venial crimes. So lately as 1833, a little boy of nine, who pushed a stick through a cracked window and pulled out some painter's colours worth twopence, was sentenced to death.[2] Such a sentence as this, indeed, was seldom or never executed, and a prisoner was rarely hanged except for murder. The manner, however, in which executions[3] were carried out degraded the people who thronged to see them. My Lord Tomnoddy was no picture of a poet's brain. The authorities of Newgate did their best to turn the felon into a hero. When Courvoisier was hanged in 1840, one of the sheriffs wept, the other asked for the murderer's autograph.[4] On the Sunday morning which preceded the execution of Good, he was placed in a prominent place in the prison chapel; and the ordinary preached a sermon on his case in the presence of the Lady Mayoress and other ladies.[5] Scenes such as these proved that the old indifference to crime and suffering, which had characterised a previous generation, still existed in 1841. But the

[1] By 73 votes to 72. *Hansard*, vol. xxxviii. p. 922.

[2] *Hansard*, vol. xx. p. 278.

[3] I have ventured to use the word in its common sense. Lord Nugent, in a debate in 1849, pointed out the error in so using it: 'You talk, forsooth, of executing a man. You do not execute the man, you execute the law. You kill the man. You murder even your language to dissemble the act.' *Hansard*, vol. xcvii. p. 564.

[4] *Hansard*, vol. lvi. p. 661.

[5] See the account in the *Times* of the 23rd of May, 1842. An exhibition similar to this, and equally disgusting, took place in 1845. *Hansard*, vol. lxxix. p. 1359. Warren went to hear the condemned Sermon on Courvoisier, and wrote an account of it afterwards. *Miscellanies*, vol. ii. p. 110. Thackeray also wrote an account of Courvoisier's execution. *Collected Works*, vol. xiv. p. 436.

shame which these things excited showed that the masses of the people were becoming opposed to them. Since 1838 no person has been hanged in England for any offence other than murder. In 1841 the Legislature was first asked to substitute private for public executions.[1]

The increase of crime.

There were, however, two matters with which our ancestors had to deal which undoubtedly increased the difficulties of criminal reformers. The first of these was the appalling and deplorable increase of crime; the second the doubt how to dispose of the criminals. It has been already stated in an earlier chapter of this History that while in 1805 only 4,605 persons were committed for trial, and only 2,783 persons were convicted; in 1819, 14,254 persons were committed for trial, and 9,510 were convicted.[2] From 1819 crime gradually decreased, till the committals sank to 12,263, the convictions to 8,204, in 1823. But from 1824 a rapid and appalling increase took place in the number of committals and convictions. The committals in 1834 had risen to 22,451, the convictions to 15,995; in 1842 the committals had risen to 31,309, the convictions to 22,733.[3] The population in 1819 was under 12,000,000, and there was rather more than one committal for every thousand people; the population in 1842 amounted to 16,000,000, and there was almost exactly two committals for every thousand people.

These figures are perhaps the saddest which it is possible to find in the History of England. That crime should have grown twice as rapidly as the population in twenty years of the nineteenth century is a fact

[1] *Hansard*, vol. lvi. p. 648.

[2] *Ante*, vol. i. pp. 191, 192.

[3] I have given the growth in two periods, because the opponents of the new Poor Law endeavoured to attribute the increase of crime after 1834 to this law. See *Hansard*, vol. lxiv. p. 107. The Statistics of Crime are republished in Porter's *Progress of the Nation*, p. 642.

CHAP. XVII. 1841.

which historians are fond of ignoring; but which deserves at least as much attention as bombardments of St. Jean d'Acre, or Treaties of Berlin. Crime was the natural result of the vicious atmosphere in which the people lived, the vicious amusements which were the occupation of their leisure; and men were beginning to see that education in its widest and best sense was the proper remedy for crime, as it was also the proper remedy for pauperism. Good and wise men had already made brutal sports illegal, and closed the most vicious places of resort which disgraced the metropolis. Good and wise men were actually endeavouring to provide pictures and statues, grass and flowers, books and music for the people. In the reign of George IV. the presumptive heir to the throne had squandered 60,000*l.* on the erection of a palace, which he had neither life nor money to complete. Shortly after his death the unfinished structure was sold for 72,000*l.* to Lord Stafford. The amount, invested in Exchequer Bills, was suffered to accumulate, and was applied, in the beginning of the present reign, to the purchase of a new park in the east of London, and the extravagance of a Prince thus became the means of providing air and beauty for a populous district.[1]

The causes of its increase.

The causes of subsequent improvement.

A new park in the east of London was, however, only one symptom of the salutary change in the disposition of the people. The first Mechanics' Institute was formed in 1823; before 1842 its founder had 400 imitators.[2] In 1841 the School of Arts in Edinburgh[3] was instructing the working classes in natural philosophy, drawing, and modelling; and more than 8,000

[1] The sum the Duke of York is supposed to have spent on the building is given as 60,000*l.* in Buckingham's *Courts and Cabinets of George IV.* vol. ii. p. 247. The 72,000*l.* paid for it by Lord Stafford will be found in *Hansard*, vol. lviii. p. 257. Lord Colchester, however, places the amount at 80,000*l.* *Diary*, vol. iii. p. 522.

[2] *Hansard*, vol. lxi. p. 1026.

[3] *Ibid.*, vol. lvii. p. 114.

persons had availed themselves of its teaching. In 1836 a Select Committee of the House of Commons recommended the formation of Schools of Design.[1] In 1842 the singing classes at Exeter Hall, first instituted by Mr. Hullah, were attended by 50,000 persons in various grades of society; and their success led to the formation in 1842 of similar classes for writing, arithmetic, and drawing.[2] In 1832 the Whig Government proposed, and Peel supported, the first vote for the erection of a National Gallery.[3] Eight years afterwards, more than 500,000 persons visited the pictures.[4] Hume, after vainly urging the authorities to do so, had printed at his own expense a catalogue of the collection, saleable for a penny. In 1843, the British Museum, which had been enriched by the acquisition of the Townley Marbles in 1812, the Elgin Marbles in 1817, and the Lycian Marbles in 1842, was visited by 517,000 persons.[5] The galleries and gardens at Hampton Court were thrown open to the public in 1838, and the fee for admission to the Tower had been reduced from two shillings to one shilling a head in 1838, and to sixpence a head in 1839, the visitors increasing on the first reduction from 8,000 to 40,000, on the second reduction from 40,000 to 84,000.[6] Bishop Stanley had set a memorable example to his right reverend brethren by opening Norwich Cathedral gratuitously to the people. In 1845 people were first admitted free to the body of Westminster Abbey.[7] In 1851 St. Paul's and Westminster Abbey were both thrown open free to the public.[8]

These facts may seem to some persons beneath the dignity of history, yet in reality they have a higher significance than most of the matters with which history

[1] *Hansard*, vol. lxv. p. 143.
[2] See the debates on these classes in *ibid.*, pp. 7. 18.
[3] *Hansard*, vol. xiv. p. 644.
[4] *Ibid.*, vol. lxv. p. 130.
[5] *Ibid.*, vol. lxxii. p. 1663.
[6] *Ibid.*, vol. lxv. 130.
[7] *Ibid.*, vol. lxxxii. p. 1375.
[8] *Ibid.*, vol. cxvi. p. 216.

CHAP. XVII. 1841.

is ordinarily occupied. The increasing facilities which the people were obtaining for intellectual enjoyment were happy symptoms in an unhappy age. It is due to the memory of a good man to add that the foremost person in England in encouraging art, music, science, and intellectual pursuits was the young German Prince who had become the husband of the Queen. The Prince became President of the Fine Arts Commission in 1841. He threw himself with zeal into the labours of the Commission; and thenceforward became the enthusiastic supporter of every movement intended to develop the intellectual training of his wife's subjects. And, notwithstanding the progress which had been already made before he reached the kingdom, the opportunities which the poor enjoyed were still scandalously small. So lately as 1845 there was a rule against allowing anyone to sleep, anyone to carry a bundle, or anyone to walk in a working dress in St. James's Park.[1] Perhaps in 1925 our children may feel equal shame in remembering that in 1885 there was a rule against anyone driving in Hyde Park in the only carriages in which the majority of the people can ever hope to drive.

Opportunities were thus being gradually afforded for rational recreation; a new generation was growing up among kindlier influences than those amidst which their fathers had been trained; and good men were hoping that better associations might ultimately tend to elevate the people, and to eradicate some of the worst forms of crime. The reformer, however, who built his hopes on the future could not afford to neglect the 31,000 committals which were the terrible feature of the present; and some means had consequently to be devised for restraining the criminal classes. It has

[1] *Hansard*, vol. lxv. pp. 141, 142.

been already stated in a previous volume [1] that Peel, in 1829, had instituted a police force in the metropolis. The Chartist rising had induced the Whig Ministry to pass a measure permitting the organisation of rural police in English counties. The measure, however, was not popular. Country gentlemen hesitated to avail themselves of a machinery which involved an addition to the county burdens, and in the beginning of 1845 all England only paid 60,000*l.* for the few policemen whose services it had thus obtained.[2] In legislation, however, of this kind, as in poetry, there is 'nothing so difficult as a beginning:' the reform once begun, and the example once set, are certain to be imitated. Country gentlemen gradually adopted a machinery which afforded the best means for the protection of property; and the spread of crime was accordingly prevented by the formation of a force designed expressly to deal with the criminal classes.

The institution of a Police Force.

Men, moreover, gradually discovered that the punishments which were inflicted on the criminal had the miserable effect of confirming him in vice and hardening his nature. So soon, indeed, as public opinion made it impossible to put men to death for comparatively harmless crimes, the necessity of providing some adequate secondary punishment became plain to everyone who paused to think at all. At the commencement of the Queen's reign the worst criminals were usually transported. Transportation had its remote origin in the sixteenth century. Towards the close of the reign of Elizabeth offenders were sentenced to be exiled; in the reign of Charles II. exile was turned into transportation; and in 1717 the persons who contracted to carry the convicts to America were given by the Legislature a property in these persons.

Secondary punishment.

[1] *Ante*, vol. ii. p. 616.

[2] It was so stated by Sir J. Graham. *Hansard*, vol. lxxviii. p. 998.

CHAP. XVII. 1841.

Great Britain, in fact, relieved herself of her criminals by selling them into slavery. This singular system endured till America obtained her independence. It was necessarily terminated when the colonies became the United States; and the British Legislature, as one consequence of the war, had to consider what it would do with its convicts. The flag of England had recently been planted on the shores of a remote inlet in an unexplored territory. In 1787 the British Government determined to send 800 convicts to that distant country. The discovery and progress of Australia will be traced in a future chapter. It is sufficient on this page to say that from 1787 to 1836, 75,200 persons were transported to Botany Bay, and that in that year New South Wales had a convict population of 25,244 men and 2,577 women, while in the neighbouring settlements, Tasmania and Norfolk Island, there were some 17,000 and 1,200 convicts respectively.

It is worth while to try to realise what these figures mean. In 1836 some 46,000 persons were undergoing transportation in Australia. At least 6,000 other convicts were in Gibraltar, Bermuda, or the hulks at home. Some 52,000 persons, or one person for every 500 of the population of these islands, was a convict. In March, 1885, 8,790 persons were undergoing penal servitude either in England or in the colonies.[1] The population had largely increased in the interval, yet there was only one convict for every six under sentence in 1836. History relates the march of armies, the siege of cities, the strife of senates, the progress of empire. And history does well to relate these things. But history does not do well to omit the other and far more significant features in a nation's story. Yet, which fact is best worth remembrance—the capture of Sebastopol at a huge cost of British blood and British treasure, or the almost

[1] Sir E. Du Cane, *Punishment and Prevention of Crime*, p. 191.

unknown circumstance, that there were more than 50,000 convicts in 1836, and less than 9,000 convicts in 1885?

The convict's lot.

The convict, sentenced to transportation, was consigned in the first instance to the hulks. In the early part of the century, pestilence was the frequent scourge of these places. But, as the nineteenth century wore on, public opinion was shocked at the notion of even convicts being exposed to the contagion of disease. Sanitary precautions were taken to prevent infection, and one danger was removed from the convict's lot. It did not occur to the generation which studied the convict's health to take any precautions for ensuring his moral welfare, and the hulks remained odious hotbeds of the worst forms of immorality. The convicts themselves shrank from these vile receptacles, and became candidates in scores for Botany Bay.[1] Little, indeed, was known in this country of a convict's lot in the colony, and the little that was known about it gave, so there is reason to believe, only an inaccurate idea of the consequences of transportation. The men who prospered wrote home to their friends; the men who suffered endured their sufferings in silence. And it was the strange chance of the transported felon that prosperity, misery, and all the intermediate conditions between happiness and woe could be drawn in the great annual lottery of transportation. In 1836 a man was living in New South Wales on an ample fortune of 40,000*l.* a year who had begun his career as a convict in the colony. In the same year many convicts committed offences for the sake of being sent to the gallows, the easiest means of terminating sufferings which were intolerable.

Technically, the convict, on arriving in the colony, was the property of the governor. The governor could

[1] *Hansard*, First Series, vol. xxxiii. p. 988.

CHAP. XVII. 1841.

assign him to any settler. As the lot of the slave depended on the character of his master, so the lot of the convict depended on the temper of the settler to whom he was assigned. Many convicts, particularly those who had begun life as domestic servants, or who had some mechanical or clerical skill, obtained easy and pleasant situations. In a society which was almost universally contaminated with the same taint, convicts were necessarily employed in positions of responsibility and trust. They were engaged as clerks, as messengers; they edited newspapers, they even acted as policemen. The unhappy creature, on the contrary, who drew a bad master in the lottery had no chance of improving his position. For any act of drunkenness, neglect, or disobedience, he could be sentenced by a magistrate to 50 lashes; a few years before 1836 he could have been sentenced to 150 lashes. Hardened by ill-treatment, if he were thought incorrigible, he could be sent to work in chains on the Government roads. It was admitted by the governor of a colony, who, living in an age inured to cruelty, was notorious for the severity with which he administered discipline, that a convict's lot, working in chains on the roads, was as severe a punishment as could be inflicted on man. Toiling incessantly throughout the day, lodged at night in a miserable hut, in which there was not even room to lie down, scantily fed, frequently flogged—humanity seemed incapable of enduring greater misery.

Yet, in the 'Inferno' we are continually introduced to a new and more horrible *cerchio*. The worst *cerchio* in the convicts' Inferno was Norfolk Island. Thither were sent the unfortunate wretches who, made worse and worse by brutal mismanagement, were too bad even for New South Wales. The physical sufferings of convicts in Norfolk Island were so great that they frequently committed crimes for the sake of getting themselves

put to death. The moral atmosphere was so corrupt that the commonest words had changed their meanings; and the obstinate ruffian whom no discipline could tame was, in convict language, the good man; his weaker or more plastic yoke-fellow who was not quite hardened by vice was styled the bad man. 'Let a man be what he will, when he comes here,' was the striking testimony of a convict himself, 'he is soon as bad as the rest.' The motto framed for the gates of hell might have been engraven on the shores of Norfolk Island, 'Lasciate ogni speranza, voi ch' entrate.'

Such was transportation for man; there is no occasion to describe the lot of a transported woman. It is only necessary to remind the reader that ten men were sent to New South Wales for every woman: and that this disproportion had been going on for forty years. The dullest imagination can fill up the void, and picture the life of these wretched women. Yet these women, among whom womanly qualities were unknown, were necessarily the mothers of the mass of the settlers born in freedom. The sins of the fathers were thus literally visited on the children, and society, forcibly detained in a vicious circle, seemed incapable of making the smallest progress.[1]

The consequences of the system which it has thus been attempted to sketch were bad for the colony, bad for the convicts, bad for society at home. The atmosphere of the colony was polluted by the presence of felons and prostitutes; the convicts, it was universally admitted, were made bad men instead of good men by the process; and the criminal classes at home, ignorant of the nature of the punishment, were not deterred from crime by dread of incurring it. The highest form

[1] Authority for all the statements in the text will be found in the Report and Proceedings of the Select Committee on Transportation. *Parl. Papers*, 1837, vol. xix., and 1837-38, vol. xxii.; cf. Rusden's *Australia*, vol. ii. p. 114 *et seq.*

CHAP. XVII. 1841.

of charity of which man is perhaps capable is the effort to protect the wavering and to reclaim the bad. Society, in 1837, contented itself with the easier task of rejecting its vicious elements, and with giving no further heed to them. It had not the poor satisfaction of reflecting that its conduct was cheap. Transportation cost the country from 400,000*l.* to 500,000*l.* a year.[1]

Bad as the system was which has thus been described, it is possible that, if England had only considered her own interests, years would have passed before it had been terminated. Fortunately, however, for society at home, the colonists in Australia showed an increasing disinclination to receive the dregs of English prisons. Experiments in colonisation, moreover, attracted the attention of politicians in England; and many leading Radicals engaged—as will be shown in a later chapter—in an attempt to found a new settlement on a new principle. The attention of English Radicals was thus directed to colonial politics at a time when transportation was the most prominent political topic in Australia. In 1837 Sir William Molesworth, who subsequently filled high office in a Liberal Administration, asked for and obtained a committee to inquire into the effects of transportation. The committee sat through the session of 1837, and was revived in the new Parliament of 1837–38. It produced an elaborate report, which directed prominent attention to the evils of the system. Men like Whately, the Archbishop of Dublin, and Matthew Davenport Hill, brother to the originator of a penny postage, thenceforward exerted themselves in favour of Reform; and the Government, startled at the disclosures of the committee, and unable to meet the arguments of reformers, was forced to undertake to reduce transportation as

The Committees of 1837-38.

[1] The estimate will be found worked out in *Parl. Papers*, 1837–8, vol. xxii. pp. 37, 43.

much as possible, to transport, as far as practicable, to unsettled instead of settled districts, and to build penitentiaries or prisons at home for the reception of convicts.[1]

The system of 1842.

Thus the matter stood at the time of the fall of the Whig Ministry. It may be convenient, before leaving the subject, to state the steps which were subsequently taken for the purpose of promoting Reform. Stanley, returning to the Colonial Office, commenced the work by framing what was called the Probation system. The bulk of the convicts were in the first instance to be employed on public works in Van Diemen's Land; they were to pass from public works to private service; from private service they were to be released on a ticket-of-leave, and the ticket-of-leave was ultimately to be terminated by a conditional pardon. Such was to be the ordinary convict's lot. A few men, whose crime had been more venial, or whose character was less degraded, were to serve the first eighteen months of their sentence in this country, and on their arrival in Australia were to pass at once to private service on probation or on a ticket-of-leave. A few others, who amidst even criminals were distinguished for their crimes, were to commence their servitude in the most dreaded of penal settlements, Norfolk Island.[2]

In theory, this scheme was in advance of anything that had preceded it. In practice, it broke down altogether. Its success depended on two conditions. It required that the convicts working in public gangs should be subject to effectual supervision; and that the convicts released on probation should be absorbed in private labour. But these requirements were always wanting. Effectual supervision there was none, and the

[1] Cf. Russell's speech, *Hansard*, vol. xxxvii. p. 725; the debate on Molesworth's motion, *ibid.*, vol. liii. p. 1236; Whately's motion, *ibid.*, vol. liv. p. 246.

[2] Sir E. Ducane, *Punishment and Prevention of Crime*, pp. 140, 141.

CHAP. XVII. 1841.

supply of convict labour largely exceeded the demand for it. Van Diemen's Land remonstrated against being forced to receive a flood of criminals. Mr. Gladstone in 1846 was compelled to suspend transportation to the colony; and the Whig Government, on returning to office in that year, found itself face to face with the convict difficulty.

The system of 1847.

The two men who, in the new Ministry, found themselves obliged to deal with the question were Lord Grey, the Secretary for the Colonies, and George Grey, the Secretary for Home Affairs. They dealt with it by pushing still further the principle which Stanley had laid down. Stanley had decided that all convicts should work out a portion of their sentence either in a Government prison or under Government superintendence in a gang. The Greys determined that all convicts should work out the first portion of their sentence in a Government prison at home. Stanley had proposed to find public work for the convicts in the Colonies. The Greys determined to pass them from the prison to public works in this country. The breakwater at Portland owes its existence to this decision. After the convicts had passed through preliminary discipline in a prison, and had served their time on public works, they were to be sent on ticket-of-leave to a colony. But this scheme, like the proposals which had preceded it, depended for its full success on the will of the colonists to accept convict labour; and Australia showed an increasing resolution to refuse it in any shape whatever. Men at the Cape, proceeding even further than the Australians, resisted by force the landing of a consignment of convicts. Except that Western Australians consented to receive a certain number of prisoners, transportation practically ceased; and, by Acts of 1853 and 1857, a system of penal servitude at home was substituted for that of transportation abroad.

Abandonment of transportation.

CHAP. XVII. 1841.

It seemed desirable to trace in the present chapter the whole of the steps which led to the substitution of penal servitude for transportation, as another opportunity for describing them will not recur. But it must be recollected that when the Whig Government fell in 1841 none of these reforms had been introduced, and the old system, with all its faults, flourished in its integrity. A few years before, the prisoner charged with felony had been first allowed a counsel to defend him. The code which refused the prisoner a counsel was a remnant of the cruel system which had heaped weights 'heavier than he could bear' on the unfortunate wretch who had refused to plead, and which had declined to allow the prisoner's witnesses to be sworn, lest the jury should be tempted to accept their testimony. The punishment of *peine forte et dure*, as it was called, was not formally abandoned till 1772, and was actually inflicted in the reign of George II. The prisoner's witnesses could not be sworn so lately as the reign of Anne.[1]

Counsel for prisoners.

In 1822, Sydney Smith, writing in the 'Edinburgh Review,' drew attention to the cruel wrong which was thus done to the prisoner. In 1824, George Lamb, the brother of Melbourne, introduced a bill for the amendment of the law. Parliament was not prepared for so considerable an innovation, and leave for Lamb's bill was refused by a considerable majority.[2] It seemed almost impossible to believe that English gentlemen could seriously refuse the aid of a counsel to a prisoner tried for his life: and it was, therefore, charitable to hope that the eighty members who had refused to allow

[1] See Campbell's speech in *Hansard*, vol. lxxiv. p. 552; and cf. Paterson, *Liberty of the Subject and Security of the Person*, vol. ii. p. 189. Chamberlayne, in the edition of 1727, says of the *peine forte et dure*, 'Though the law continues, we so abhor cruelty that of late they are suffered to be so overcharged with weight laid upon them that they expire presently.' *Present State of Great Britain*, p. 193. Verily the first steps towards humanity are curious.

[2] *Hansard*, New Series, vol. xi. p. 220.

CHAP. XVII. 1841.

the bill to be brought in did not understand the subject. This excuse was not afterwards available. Sydney Smith in 1826 restated the whole case with the utmost care. He showed that in every other country in Europe the prisoner had the advantage of counsel, and that in France the prisoner's counsel was allowed the last word. He pointed out that even in this country counsel was allowed to the man accused of high treason, to the man impeached before the Lords, to the man accused of misdemeanour, and only refused to the felon. Thus 'counsel was permitted in very high crimes and in very small crimes, and denied in crimes of a sort of medium description.' He showed that in political cases the prosecutor had the right of determining whether the man should enjoy counsel or not, since he could frequently charge him with treason or felony at his own discretion; and he met the common objection that trials would be protracted if counsel were employed, with the rejoinder, 'It is surely better to be a day longer on the circuit than to murder rapidly in ermine.'[1] But argument was of no use. The unreformed House of Commons had refused in 1824 to allow Lamb's bill to be brought in, by a majority of 80 to 50. It refused leave for the same bill in 1826, by 105 votes to 36.[2]

Discouraged by this defeat, the Reformers abstained from further exertions in this direction for nine years. In 1835, however, Ewart, the member for Dumfries, introduced a bill to allow prisoners the advantage of being heard by counsel. The bill passed the Commons, and was referred to a Select Committee by the Lords. Reintroduced early in the following year, it rapidly passed all its stages. Its principle was affirmed in the Commons by a majority of five to one; its second reading was moved in the Lords by Lyndhurst, who had

[1] The article is reprinted in Sydney Smith's *Works*, vol. iii. p. 353.

[2] *Hansard*, New Series, vol. xv. p. 633.

been one of the foremost opponents of the measure ten years before. The only question on which Parliament was seriously divided was, not whether the prisoner charged with felony should be heard by counsel, but whether his counsel should have a right of reply.[1] It was discovered by a reformed Parliament, in 1836, that it was not possible to raise a valid argument against a measure which an unreformed House of Commons had even refused to consider.[2]

Debtors.

The position of the felon, however, was not more pitiable than that of the debtor. Debt has been regarded as a crime by primitive society in every part of the world. In Palestine, as in Rome,[3] the debtor had power over the person of the creditor, and misfortune was commonly treated with a severity which was not always awarded to crime. In this country the same system was gradually introduced in Plantagenet times.[4] The creditor, who had been previously entitled to seize the goods, or even the land of the debtor, was at last authorised to seize his person. In one sense, indeed, the English law was, in this respect, more irrational than the cruel code of the Jews, or the awful punish-

[1] *Hansard*, Third Series, vol. xxviii. p. 628; vol. xxix. p. 355; vol. xxxi. p. 497; vol. xxxiv. p. 760; vol. xxxv. p. 599. The statute is 6 & 7 Will. IV. c. 114.

[2] It was noticed in the House of Commons that if a man wrested a gun from another man for the purpose of levying war against the king, he was guilty of treason, and allowed counsel; if he merely stole the gun he was guilty of felony, and not allowed counsel; if he took it from a gamekeeper he was guilty of a misdemeanour, and allowed counsel. *Hansard*, vol. xxxv. p. 186. Sydney Smith had previously given a similar illustration. He had pointed out that, if a man urged his servant to steal, he was only chargeable with the misdemeanour, and could be defended by counsel; while the servant could be hanged for the felony without counsel.

[3] For the Jewish law of debt, cf. Levit. xxv. 39-41, and 2 Kings iv. 1. For the law of the Twelve Tables, Gibbon's *Decline and Fall*, vol. viii. p. 92. In Egypt Asychis, with much better sense, gave the creditor authority over the sepulchre of the borrower, so that a debtor, till the debt was paid, could not be buried in the family grave. Herodotus, *Euterpe*, ch. 136; and see Sir J. G. Wilkinson's note in Rawlinson's *Herodotus*, vol. ii. p. 182.

[4] The first statute which gave the creditor power over the debtor's person in this country was apparently the 11 Edw. I.; cf. 13 Edw. I. and 25 Edw. III. c. 17.

CHAP. XVII. 1841.

ment which the law of the Twelve Tables reserved for debtors. In Palestine the creditor was, at least, entitled to the service of the debtor or of his children, and the slave had the prospect of an Insolvent Debtors' Relief Act in the Sabbatical year. Even the law of the Twelve Tables allowed the creditors to sell the debtor into slavery, instead of resorting to the horrible alternative of partitioning his body. But in England the creditors had no such choice. They had nothing to do but to throw the debtor into prison; and by his imprisonment deprive themselves of the only chance of his earning money to pay their debts.

A law of this kind was intolerable to a commercial people. The debtor languished in gaol, the creditor failed to obtain payment of his debt. When trade increased in Tudor times, the wits of legislators were exercised in devising some expedient for satisfying the creditor without imprisoning the debtor. The Chancellor was authorised to appoint commissioners empowered to divide the debtor's property among the creditors. By an Act of Anne[1] the debtor who complied with the law was released from further liability, and was practically enabled to commence life anew. In 1826, a debtor was allowed to procure his own bankruptcy; while, in 1831, commissioners were appointed to carry out the arrangements which had been previously conducted under the Court of Chancery.[2]

Bankruptcy.

The law of bankruptcy which was thus gradually developed by the legislation of three centuries only applied to persons in trade. No one who was not a trader could become a bankrupt; the ordinary debtor became as a matter of course an insolvent, and passed under the Insolvent laws. The statutes, moreover, omitted to give any very plain definition of a trader.

[1] The 34 & 35 Hen. VIII. c. 4 is the first English statute on bankruptcy. Cf. 13 Eliz. c. 7, 4 & 5 Anne, c. 17, and 10 Anne, c. 15.

[2] 6 Geo. IV. c. 16; 1 & 2 Will. IV. c. 56.

The distinction between trader and non-trader which had been gradually drawn by the Courts was not based on any very clear principle. A person who made bricks on his own estate of his own clay was not a trader; but a person who bought the clay and then made the bricks was a trader. Farmers, again, were exempt from the bankruptcy law; but farmers who purchased cattle for sale at a profit were liable to it.[1] The possibility, moreover, of a trader being made a bankrupt depended on the size of his business. A petitioning creditor in bankruptcy was required to be a person to whom at least 100*l.* was due; if two persons petitioned, their debts were required to amount to 150*l.*; if more than two persons petitioned, to 200*l.* A small shopkeeper, therefore, who could not hope to obtain credit for 200*l.*, 150*l.*, or 100*l.* could not become a bankrupt; he was forced to become an insolvent.[2]

Insolvency.

The treatment of the insolvent was wholly different from that of the bankrupt. The bankruptcy law was founded on the principle that the goods and not the person of the debtor should be liable for the debt; the insolvency law enabled the person of the debtor to be seized, but provided no machinery for obtaining his goods. The bankruptcy law gave the debtor his future earnings; the insolvency law gave the debtor's future earnings to the creditor. The bankruptcy law was administered under a competent tribunal; the insolvency law was carried out by the Courts of Requests which had been established in earlier times in almost every considerable town. Up to 1838 the first step in insolvency was the arrest of the debtor. Any person who made a deposition on oath that some other person was in debt to him, could obtain his arrest on what was known as 'mesne process.' The oath might possibly be untrue; the debt

[1] *Parl. Papers*, 1840, vol. xvi. p. 13. [2] *Ibid.*, p. 14.

CHAP. XVII. 1841.

might not be due; the warrant issued on the sworn deposition as a matter of course. But, in addition to the imprisonment on mesne process, the insolvent could be imprisoned for a further period on what was known as 'final process.' Imprisonment on mesne process was the course which the creditor took to prevent the flight of the debtor; imprisonment on final process was the punishment which the Court awarded to the crime of debt.

Such a system would have been bad enough if the debtors' prisons had been well managed. The actual condition of these prisons almost exceeds belief. Dickens, indeed, has made the story of a debtor's imprisonment in the Marshalsea familiar to a world of readers. Perhaps some persons may care to learn the condition of the less fortunate debtor who, in 1844, was confined by the Court of Requests in Birmingham. The prison, attached to the Court, comprised the kitchen, the cellars, and the attics of a small house in which the Court sat. The female debtors lived by day and slept by night in one of the attics. The male debtors sat by day in the kitchen, washed in the adjoining cellar, and slept in an attic eleven feet long by sixteen feet broad. On each side of the room platforms were raised about a foot from the ground, like the stages in a kennel, littered with loose straw. On these platforms the debtors slept. For food they had the pauper's allowance; in sickness, the pauper's medicine. Spiritual assistance was not thought necessary for such outcasts as these. The prison at Birmingham was not singular in its shortcomings. In a neighbouring county, the debtors at Kidderminster were confined in a small room, twelve feet square, without fire or even fireplace. They slept on a heap of straw; they exercised themselves in an adjoining yard one foot longer than the room in which they lived. One quarter of a quartern loaf of

bread was their daily food. Two jugfuls of water were given to each prisoner for washing and drinking. Other help had they none. The beadle entrusted with their custody lived in a distant part of the town, so that even in case of illness the wretched prisoner could obtain no assistance.[1] These things happened—be it recollected—not in the Middle Ages, not even in the days of Howard, but some years after the commencement of the present reign; and Sunday after Sunday, society passing by on the other side raised its beautiful prayer, 'For all prisoners and captives, we beseech Thee to hear us, good Lord.'[2]

Proposals for altering the law.

The Act of 1813 had done something to mitigate the misery which the law occasioned. The Court which was constituted by it released 50,000 debtors in thirteen years. But large numbers of persons were still detained in prison for debt. In 1827 nearly 6,000 persons were committed in London alone for debt.[3] The Common Law Commissioners, reporting in 1830, declared that the loud and general complaints of the law of insolvency were well founded; and Cottenham, in 1838, introduced a bill to abolish imprisonment for debt in all cases. The Lords were not prepared for so complete a remedy; they declined to abolish imprisonment on final process, or to exempt from imprisonment on mesne process, persons who owed more than 20*l.* and who were about to leave the country. Cottenham, disappointed at these amendments, decided on strengthening his own

[1] The Reports on which the account in the text is founded were read by Graham in the House of Commons. *Hansard*, vol. lxxvi. p. 1709.

[2] The account in the text relates, of course, to the imprisonment of poor debtors. The imprisonment of wealthy debtors who declined to disgorge their property was equally scandalous. In 1805 (to take one example) Campbell went to drink wine in the Cambridge County Gaol with 'Dr. Fisher, a fellow of Christ's, confined there for debt. He is Senior Doctor at Doctors' Commons, *often sits there as Judge*, &c. . . . There was nothing to tell that we were not in a well-furnished private house.' *Life of Campbell*, vol. i. p. 171.

[3] 4,170 on mesne process, 1,799 on judgment. *Hansard*, New Series, vol. xx. p. 431.

CHAP. XVII. 1841.

hands by instituting a fresh inquiry. He appointed a commission in 1839, which reported in 1840,[1] and which recommended the abolition of imprisonment on final process, and the union of bankruptcy and insolvency. In 1841, in 1842, in 1843, and in 1844 Cottenham introduced bills to carry out this report. The bills of 1841, 1842, and 1843 were lost. The bill of 1844 was not much more successful. Brougham declared that debtors who refused to disclose their property, who refused to answer questions about it, who refused to give it up, or who fraudulently made away with it, as well as debtors who had been guilty of gross extravagance, deserved imprisonment. He introduced an alternative bill giving the Court discretionary power to imprison them. The Lords, bewildered by the contrary counsels of two such great lawyers as Cottenham and Brougham, decided on referring both bills to one Select Committee. The Committee preferred Brougham's bill, amended it, and returned it to the House. This bill became ultimately law. It enabled both private debtors and traders whose debts amounted to less than the sums named in the Bankruptcy Acts to become bankrupts; and it abolished imprisonment in all cases where the debt did not exceed 20*l.* The reform which was thus introduced did not satisfy Cottenham, but it remedied some of the worst evils of the old system. Many debtors, availing themselves of the Bankrupt laws, were enabled to commence their career anew; many small debtors confined for trifling sums were liberated; and the law was thus relieved of some of its harshest features.[2]

[1] The Report of 1840 is in *Parl. Papers*, 1840, vol. xvi. At the time at which the report was made 3,691 persons were in prison for debt (p. 8).

[2] The Act of 1838 is the 1 & 2 Vict. c. 110. The Act of 1844 is the 7 & 8 Vict. c. 96; but cf. *ibid.* c. 70. For Cottenham's own account of his own efforts, see *Hansard*, vol. lxxvi. p. 1387; for the debate on his original bill, *ibid.*, vol. lxxiv. p. 442; for that on Brougham's bill, *ibid.*, vol. lxxv. p. 1174. For the reference of both bills to the Select Committee, *ibid.*, pp. 1204 and 1207.

In the midst, then, of suffering, both unprecedented and great, reform was at work, preparing the way for a brighter future; and the same influences which were encouraging the formation of mechanics' institutes and museums, and which were tending to suppress the slave trade, to raise the convict, and to alleviate the lot of the debtor, were also leading to other results. Wise men were simultaneously endeavouring to improve the position of the sailor and the soldier. It is difficult for an historian, writing in the kindly atmosphere of the nineteenth century, to realise the position of a private soldier in the eighteenth century. So contemptible was it, that Dryden, searching for a simile to excuse his discarding antiquated words, could bring himself to write that 'they deserve not this redemption, any more than the crowds of men who daily die or are slain for sixpence in a battle merit to be restored to life if a wish could revive them.'[1] Half a century afterwards Junius, writing in what men still call 'the good old times when George III. was king,' declared 'the private men have fourpence a day to subsist on, and five hundred lashes if they desert. Under this punishment they frequently expire. Under these encouragements it is supposed they may be depended upon whenever a certain person thinks it necessary to butcher his fellow-subjects.'[2]

The private soldier.

Such was the lot of the private soldier. Discipline was maintained in the navy by the same expedients. On many ships the slightest offence was punished by the lash; and in one respect the sailor was in a worse position than the soldier. The latter was, at any rate, supposed to enter the army of his own free will; the former was swept into the navy whether he liked it or not. In theory, indeed, the Crown assumed that it was part of its prerogative to force any man on whom it could

The common sailor.

[1] Dryden's *Virgil*, Postscript, ed. 1809, vol. iv. p. 246.

[2] *Junius' Letter*, xxxv. *note*.

CHAP. XVII. 1841.

lay hands into either branch of its service. But in practice the power of the Crown to compel men to serve on land had been restricted by the Long Parliament; and, though a compulsory power to raise men who had no lawful calling or employment was exercised with the sanction of Parliament in the eighteenth century, it was abandoned in the reign of George II. and was never afterwards revived.[1] The parallel right to force men into the navy was never parted with. It was exercised in three ways. (1) The press-gang, working usually at night, scoured the streets of London and of other ports, and swept away men who were either sailors or who were suspected of having been at sea. (2) A man-of-war was entitled to board any English merchant-vessel and seize any number of men out of it. (3) Smugglers, and even criminals, could be sentenced to serve the king at sea.

The press-gang.

These arrangements were productive of much evil. Armed press-gangs sweeping the streets of Portsmouth, or visiting every street from Cornhill to the Minories, carried terror into every family; anyone who had been, or was suspected of having been, at sea, was liable to be seized; and the terror which was thus excited was so great that in some cases the inhabitants of the outports organised committees to resist by force the operations of the press-gang.[2] The merchant service suffered still more severely. A member of the House of Commons declared of his own experience that in coming from the East Indies with a ship worth 150,000*l.*, he had been boarded, and four men had been taken from him; off the Lizard he had again been boarded, and another four men had been taken from him. Off Beachy Head he had been boarded for a third time, and every man capable of serving in the navy had been taken from him, while he

[1] Hallam's *Constitutional History*, vol. iii. p. 214.

[2] *Hansard*, vol. xx. p. 656.

himself had been advised to stand into port.[1] Such a system naturally endangered the safety of merchantmen; it raised the wages paid to merchant sailors. Even the fishermen deserted the fisheries, since service on a fishing-smack made a man subject to the operations of the press-gang.

These lamentable consequences would have made the press-gang indefensible if they had added to the efficiency of the navy. They had not even the justification of facilitating the effectual manning of ships of war. When a press-gang was formed, it perhaps succeeded for one night in making an effectual raid on the seamen of the neighbourhood; but in another dozen hours the seamen scattered themselves over the adjoining district, and the press-gang had to confine itself to seizing landsmen and boys unfit for service. Still worse results ensued from the monstrous system of sending criminals on board men-of-war. Codrington himself, on hoisting his flag on the 'Caledonia' in 1831, received twenty-seven men on board who had just been taken out of irons. 'He gave notice that it was impossible they could be useful to him, and they would demoralise his crew; but the answer was that it was desirable that they should leave London, and that the Lord Mayor wished it.'[2] Enobarbus said to Antony before Actium—

> Your ships are not well manned,
> Your mariners are muliters, reapers, people
> Ingross'd by swift impress.

The British sailors, after the conclusion of the war, were moulded out of even less promising materials—the sweepings of the prisons and the scum of the seaports.

[1] *Hansard*, vol. xxix. p. 349.

[2] *Ibid.*, vol. xx. p. 687. The command seems from the context to have been that of 1831, an account of which will be found in the *Life of Codrington*, vol. ii. p. 477. Surely Lady Bourchier might have found room for referring to her father's creditable advocacy of voluntary enlistment.

CHAP. XVII. 1841.

Medals.

It will perhaps be thought that, if the soldiers and the sailors were liable to be flogged to death, there were compensating advantages, both in army and navy. Those who read Napier's brilliant pages, or the story of deeds of daring done by England's naval heroes, probably picture to themselves soldiers and sailors returning from their achievements with their breasts covered with medals and their pockets full of prize-money. Yet, so far as the medals were concerned, soldiers and sailors were equally considered unworthy of them. 'Medals,' wrote Wellington, in the early years of the present reign, 'were originally struck to commemorate certain great naval victories; one of each was distributed, according to certain rules, to each admiral and, I believe, to each captain of a post-ship engaged. Similar medals were subsequently struck to commemorate certain great events in the war of the Spanish peninsula, and one of each was distributed to the general officers, commanding officers of regiments engaged, and certain officers of the staff, according to certain rules laid down. In the year 1815 a medal was struck to commemorate the battle of Waterloo, and then for the first time the restrictions in respect to the grants of medals, as well to the navy as to the army, were departed from, and the course pursued was otherwise irregular.'[1]

Prize-money.

It is true, indeed, that if neither soldier nor sailor could hope to obtain a medal, the sailor, at least, had a fair chance of obtaining prize-money. The money thus acquired during the Great War reached many millions. Perhaps it may interest some persons to learn the principle on which it was distributed. After Navarino—at the period, in other words, of the first Reform Act—the Government undertook to pay the prize-money which

[1] *Indian Administration of Lord Ellenborough*, pp. 331, 332. See also a curious letter of Croker's, disapproving the issue of an Algiers medal, in *Croker's Memoirs*, vol. i. p. 92.

the fleet would have received if the Turkish vessels had been captured and not burned. Codrington obtained 7,888*l.*; each of his captains, 1,068*l.*; lieutenants, 94*l.*; first-class seamen, 4*l.* 10*s.*; and boys 1*l.* 10*s.* each. A first-class seaman got as many pennies as his captain received pounds, and nearly one mite for every pound awarded to his admiral. Verily, if the laws in an unreformed Parliament were made by landowners, Admiralty regulations were drawn up by admirals.

Thus discipline was maintained and bravery encouraged both in army and navy by a mixed system of lavish rewards and brutal punishments. But the rewards were heaped on the commanders; the punishments were reserved for the men. Even in the days of an unreformed Parliament, however, a novel precedent had been instituted by the issue of a Waterloo medal; and, some eighteen years afterwards, a governor-general, who did and said many foolish things, resolved on one just action, and issued medals to the troops engaged in Afghanistan and China. Soon afterwards his chosen lieutenant ventured on another innovation, and, to the alarm of monopolists, in his despatches on the Scindh campaign, actually mentioned private soldiers by name. Examples of this kind are apt to spread. Good-conduct pay was first issued in 1846,[1] and in 1848 Parliament, by a wise though tardy act of justice, issued medals to the survivors of the Peninsular campaign. Poor sufferers! It might have been hoped that no one would have grudged them their slender reward. An officer who had served in the Peninsula, an insatiable place-hunter himself, had the arrogance and, in an etymological sense, the absurdity to talk of this issue as a 'prostitution of rewards.'[2]

During the same period other steps were taken to

[1] *Ann. Reg.*, 1846, Chron., p. 4.
[2] Londonderry in *Hansard*, vol. xcix. p. 566.

CHAP. XVII. 1841.

improve the position of the soldiers. It may surprise some readers to learn that at the time of the Queen's accession soldiers were required to sleep two in a bed. Wellington had the merit of terminating this deplorable arrangement. It may interest other persons to learn that a short time afterwards two other great military reforms were introduced into the army. The old flint-and-steel musket was first superseded by the introduction of percussion-caps; and libraries were first provided for regiments. There is some satisfaction in reflecting that the same period which witnessed the first great improvement in arms of precision witnessed the first rational effort to elevate the common soldier.[1]

Regimental libraries.

Flogging.

In the meanwhile, other steps had been taken to improve the soldier's lot. Happily for the private soldier, Lieutenant-Colonel Wall, Governor of Goree, in 1782, ordered 800 lashes to be inflicted on a sergeant under his orders. The man died shortly afterwards in hospital. Unfortunately for Wall, he omitted to take the precaution of summoning a court-martial before inflicting the punishment.[2] On his return home he was arrested, and charged with murder. He managed to abscond; but returning twenty years afterwards he was tried for his offence and hanged. Even in the cruel period of the war, Wall's case drew attention to the existence of brutal punishments. Seven years afterwards the impression was increased by a sentence of two years' imprisonment on Cobbett for a libel on the German legion. The Germans had been employed in

[1] Flint and percussion muskets were tried against each other in Canada in 1839. Out of 2,000 shots the flintlocks missed fire 822 times, the percussion muskets only 9 times. This experiment settled the question, and in 1841 muskets with percussion-caps were largely ordered. *Hansard*, vol. xlvi. p. 1234. Lord Howick had the credit of initiating soldiers' libraries. *Ibid.* p. 1126. Sir C. M. Clode, who has missed these references, rightly ascribes their formation to 1838. *Military Forces of the Crown*, vol. ii. p. 555.

[2] For Governor Wall's case, *Manual of Military Law*, p. 177; Howell's *State Trials*, vol. xxviii. p. 51.

administering 500 lashes to some unfortunate militiaman. A little later, in 1812, John Hunt and Leigh Hunt experienced a different fate. Charged with libel for criticising the severity of a sentence of 1,000 lashes, they were acquitted, notwithstanding Ellenborough's dictum that the article was a libel intended to create disaffection in the army.[1] When juries declined to convict prisoners for criticising excessive punishments, the most torpid of ministers could see that it was high time to reconsider the regulations under which the army was governed. Accordingly, in 1812, the Ministry commenced the work of reform by directing that a regimental court-martial should not thenceforward sentence a fellow-creature, who happened to be a soldier, to more than 300 lashes.

A well-ordered person, at the present day, turns faint at the mere suggestion of a system so barbarous that the first step towards mitigating its barbarities merely prevented some young officers from ordering more than 300 lashes to be given to a human being. In 1836 a man named William Saundry actually died from the effects of 200 lashes which he received at Woolwich, and yet a regimental court-martial was allowed in 1812 to order 300 lashes in any climate. The regimental court-martial was the lowest court known in the army. The powers of the district court-martial and of the general court-martial were unlimited till 1830. In that year the Government directed that no district court-martial should sentence a man to more than 500 lashes. At the same time officers were prohibited from degrading their men by tying heavy weights to their legs. Two years afterwards, in 1832, the Government further directed that no district court should order more than 300, and no regimental court-martial more than 100 lashes. In 1836 general courts-

[1] For the trial, Howell's *State Trials*, vol. xxxi. p. 367.

37700

CHAP. XVII. 1841.

martial were limited to 200, district courts-martial to 150, and regimental courts-martial to 100 lashes.[1] In 1846 the punishment was further reduced to 50 lashes.[2]

These concessions were wrung from the Government by the persistent efforts of sensible reformers. The Ministry had narrowly escaped defeat on Hume's motion for the abolition of flogging in 1833.[3] They were more successful in 1834, 1836, 1837, and 1838, but the increased support which it received on these occasions was evidently attributable to its desire to limit flogging.[4] The Government was, in fact, able to show that, while diminishing the number of lashes which a soldier could receive, it had concurrently reduced the number of floggings. 658 men were flogged in 1830, 646 in 1831, 485 in 1832, 370 in 1833, 257 in 1834, 246 in 1835, and 163 in 1836.[5] The existence of a good Ministry is a bad reason for the retention of an indefensible power; but the friends of flogging found their case strengthened, the opponents to it found their arguments weakened, by the milder system of discipline on which public opinion had insisted and which a Whig Government had enforced.

Abuses, however, were still frequent enough. One officer, angry at the limit placed on his power, is said to have ordered a man to be flogged, with an interval of half a minute between the lashes. A hundred lashes could in this way be protracted over fifty minutes. The

[1] *Hansard*, vol. xlvi. p. 1170. For Saundry's death, *ibid.* vol. xxxi., p. 892.

[2] *Ibid.*, vol. lxxxviii. p. 376.

[3] *Ante*, vol. iii. p. 56 *note*.

[4] A motion of Major Fancourt's in 1834 for the abolition of flogging was rejected by 226 votes to 94 (*Hansard*, vol. xxii. p. 256); a motion of Lennard's in 1836 for its abolition except in time of war was negatived by 135 votes to 62 (*Hansard*, vol. xxxii. p. 1052); a motion of Fancourt's in 1837 for a Select Committee was defeated by 167 votes to 72 (*Hansard*, vol. xxxvii. p. 905), and a motion of Boldero's in 1838 was rejected by 169 votes to 76 (*ibid.*, vol. xli. p. 1280).

[5] These figures are given on the authority of successive Ministers. *Hansard*, vol. xxii. p. 236; vol. xxxvii. pp. 878, 885.

officer against whom this horrid charge was brought ought to have been either exculpated or dismissed. He was rewarded, on the contrary, with a high colonial appointment. Another officer, the eldest son of a peer, who had been removed from the command of one regiment for reprehensible conduct in bringing charges, collected from the gossip of the orderly room, against one of his officers, and who had, notwithstanding, been appointed to the command of another regiment, flogged a man on Sunday in the Riding School in the very place in which Divine Service had just been read. Fortunately for the army few officers displayed such severity as Lord Brudenell.[1] The kindlier instincts which were inducing society to revolt from cruel punishments influenced military men. A Governor-General assumed the responsibility of proving that flogging was unnecessary by abolishing it in the native Indian army; and the punishment, though it was retained for another forty years, was used or abused less frequently than in the days of George III. or George IV.

Impressment.

In the same year in which Hume nearly succeeded

The debate on Lord Brudenell's appointment to the 11th Dragoon Guards after his removal from the command of the 15th Hussars is in *Hansard*, vol. xxxiii. p. 533. The Ministry did not defend the appointment, but they took the singular course of arguing that the Commander-in-Chief was responsible for individual acts connected with the management and control of the army, while the Government was only responsible for his general conduct. *Ibid.*, p. 559, and cf. p. 535. It followed from this reasoning that Parliament had no control over any act of the Commander-in-Chief which was not grave enough to justify his removal. The contention—so far as I know—was never made afterwards, and Sir C. M. Clode, quoting Lord Dalhousie, rightly explains the present doctrine that 'the Secretary of State, and through him the executive Government of the day, is responsible for all the acts of the Commander-in-Chief.' *Military Forces of the Crown*, vol. ii. p. 323. For Lord Cardigan (he had succeeded to the peerage in the interval) flogging a man on Sunday, see *Hansard*, vol. lviii. p. 337. His regiment, it was said, was 350 strong, and in two years there were 105 courts-martial and 700 punishments of defaulters. Mr. Trevelyan says that 'during the session of 1841 Macaulay, as Secretary of War, had very little to do in the House of Commons except to defend Lord Cardigan; but that in itself was quite sufficient occupation for one Minister. Trevelyan's *Macaulay*, vol. ii. p. 85.

CHAP. XVII. 1841.

in defeating the Ministry on the question of flogging in the army, Silk Buckingham, a gentleman who had been a journalist in India, drew attention to the abuses of impressment. Buckingham asked the House to declare the forcible impressment of seamen unjust, cruel, inefficient, and unnecessary, and to avail itself of a period of profound peace to provide other means of manning the Navy. He ultimately modified the latter part of his motion by simply asking for an inquiry.[1] Graham, speaking as First Lord of the Admiralty, pledged himself to introduce a bill preventing the forcible enrolment of smugglers on ships of war,[2] but declined to part with the power of compulsory enlistment. Althorp, seeing that the sense of the House was opposed to the official view of the Admiralty, endeavoured to extricate Graham from his difficulty by moving the previous question. He prevailed, but the majority was so small[3] that the press-gang was obviously doomed. In 1835, Graham himself, freed from the trammels of office, introduced two bills to establish a register of seamen, and to encourage voluntary enlistment by the grant of high bounties and increased pensions. The Government promised him its support, and ultimately took the conduct of his measures out of his hands.[4] The bills passed; the experiment which they made succeeded; the press-gang proved to be no more necessary than any other of the abuses to which men still clung because they were old; and, though theoretically the Crown retained—as it still retains—the prerogative of pressing men into its service, the exercise of the prerogative was thenceforward condemned by what a

[1] *Hansard*, vol. xx. pp. 636, 691.
[2] *Ibid.* p. 683.
[3] The majority was 59 to 54. *Ibid.*, p. 694. Buckingham renewed his motion in 1834. *Hansard*, vol. xxi. p. 1063.
[4] For Graham's bill, *Hansard*, vol. xxvi. p. 1120. For Russell's promise of Government support, *ibid.*, vol. xxviii. p. 622. For the transfer of the bills to Government, *ibid.*, vol. xxix. p. 343.

great historian has called 'the unwritten law of the Constitution.'[1]

Duels.

To the change of thought which led to these alterations may be attributed another reform, which was silently accomplished almost suddenly at the same period. Few things are more horrible than the frequent duels which were fought on every possible cause in the first half of the nineteenth century. Dueling was essentially the vice of the upper classes. It was based on the supposed law of honour; and a man who was not a gentleman was not bound by the law. It is probable that, in this country at any rate, the duel rose into favour when the 'wager of battel' fell into disuse. The last occasion on which the wager of battel was fought out was in Elizabeth's reign, and dueling, which had previously been rare, became thenceforward more frequent.[2] In the first half of the succeeding century Selden formally defended the practice, though he seems to have done so for the sake of illustrating the right of the subject to take up arms against his king.[3] The duel, in fact, like the wager of battel which preceded it, was only defensible on the supposition that God actively interfered to do right between the combatants. It ceased to be justifiable when no Apollo descended from heaven to restore the strength of a wounded Hector, and when men discovered that God saw with equal eye 'a hero perish or a sparrow fall.' The practice, indeed, lingered for a century after Pope; but it was condemned

[1] It was admitted in 1836 that, notwithstanding an increase in the navy, the voluntary arrangement had succeeded. *Hansard*, vol. xxxii. p. 1108. Cf. Torrens' *Life of Graham*, vol. i. p. 430; and May's *Const. Hist.*, vol. iii. p. 20 *et seq.*

[2] See *ante*, vol. ii. p. 63; and cf. an interesting note of Mr. Buckle's in *Hist. of Civilisation*, vol. ii. p. 137. Mr. Buckle, in this well-known note, gave a philosophical reason for dueling being more prevalent in France than in England. But he has overlooked a remarkable passage in which Hume ascribed it to the example of Francis I. accepting a challenge from Charles V. *Hume*, vol. iv. p. 73.

[3] See the curious passage in *Table Talk*, pp. 47, 48.

CHAP. XVII. 1841.

throughout the whole time by the best people in the nation.

Throughout the period, indeed, a man who shot another in a duel was a murderer in the eye of the law. But the severity of the law defeated its object. Every one knew that there were many occasions on which a man could not avoid fighting a duel without incurring discredit. So lately as 1844, it was admitted in Parliament that an officer who refused to fight would be liable to dismissal.[1] Under such circumstances Judges and jurymen shrank from carrying out a law which seemed intolerable from its very severity. Upright Judges, indeed, like the first Lord Kenyon, had the boldness to warn principals and seconds that they were all involved in the crime of murder.[2] Juries, long after Lord Kenyon's time, took a different view of the subject, and insisted on acquitting the duelists. Occasionally, too, the Judges from the Bench gave the juries some excuse for the verdict. Baron Hotham, in the closing decade of last century, is said to have told a jury that the acquittal of an officer who had slain another in a duel would be 'lovely in the sight both of God and man'; and Townsend declared that 'the long series of judicial annals has not been darkened with a single conviction for murder in the case of a duel fairly fought.'[3]

The judges and dueling.

The wretched system, however, was already doomed. The duel was detested by the bulk of the nation as an aristocratic practice. In France a resort to dueling had been temporarily terminated by the downfall of the aristocracy in the great Revolution; in this country the duel did not long survive the predominance which the middle classes obtained in 1832. A class which did not practise dueling, and which hated duels,

[1] *Hansard*, vol. lxxiii. p. 827.

[2] Townsend's *Lives of Twelve Eminent Judges*, vol. i. pp. 69, 70.

[3] Townsend's *Modern State Trials*, vol. i. pp. 152, 155.

was not, in fact, likely to allow the system to continue; the change of thought, to which allusion has already been made, encouraged its repression, and the duel gradually fell into disfavour with the rise of the middle classes to power.

It may seem paradoxical to assert that a Prime Minister's duel should have given the first death-blow to dueling, but it is none the less true that Wellington's conduct in fighting Winchilsea in 1829 made an impression on sober-minded people which a score of less famous combats would not have produced. In the following year one of the best Judges on the Bench told a jury: 'We have heard several times during the course of this trial of the law of honour; but I will now tell you what is the law of the land, which is all that you and I have to do with. It is this: that if two persons go out with deadly weapons, intending to use them against each other, and do use them, and death ensue, that is murder, wilful murder.'[1] In the same year another Judge stated the law in similarly decided terms: 'In the case of a deliberate duel, if one person be killed, it is murder in the person killing him: of that proposition of law there is not, there never has been, the smallest doubt.'[2] While three years afterwards, a third Judge applied the same law to the seconds in a fatal duel: 'If you are satisfied on this evidence that the gentlemen went out to Haddon, knowing that Sir J. Jeffcott and Dr. Hennis were about to fight a duel there, . . . I cannot tell you, in point of law, it is anything short of murder;'[3] and five years later still, in the trial of a surviving principal and the two seconds in another fatal duel, a fourth Judge laid down the law with

[1] I have followed the late Mr. S. Warren's account of the charge given from memory in *Miscellanies*, vol. ii. p. 307. A short account of the trial will be found in *Ann. Reg.*, 1830, Chron., p. 162, and cf. the remarks of the same judge on a similar trial in *ibid.*, p. 52.

[2] Townsend's *Modern State Trials*, vol. i. p. 162.

[3] *Ibid.*, p. 163; and *Ann. Reg.*, 1833, Chron., p. 105.

CHAP. XVII. 1841.

equal plainness: 'Where, upon a previous arrangement, and after there has been time for the blood to cool, two persons meet with deadly weapons, and one of them is killed, the party who occasions the death is guilty of murder, and the seconds are also equally guilty.'[1]

Juries and duelists.

These charges made it tolerably clear that the Judges had both the courage and the will to enforce the law. The juries, however, by whom the duelists were tried did not display any similar disposition. Much as they may have been disposed to check dueling, they were not prepared to regard the seconds, or even the principals, as murderers. Just as the law which made larceny a capital felony had led juries to acquit prisoners, so the law which made duelists liable to be hanged induced jurymen to acquit duelists. In three out of the four cases which have been mentioned in the preceding paragraph, the juries acquitted the accused; in the fourth, and most recent case, the jury convicted the prisoners, but sentence of death was not passed upon them.

Challenges in Parliament.

The reluctance of juries to convict duelists was justified by the attitude of prominent public men. Every session of Parliament, if it did not produce a duel, produced its challenge; and the challenges did not decrease in number after the passage of the Reform Act. Any one who will take the trouble to extract the record of the debates in which these challenges were discussed from the first sixty volumes of the Third Series of 'Hansard,' will probably be struck with the increasing disposition of a few members of the House to resent personal attack by challenging the assailant, and with the increasing determination of the House as a whole to prevent a conflict.[2] In 1836, for instance, the House placed Sir F. Trench under arrest because he refused to give an assurance

[1] *Regina* v. *Young*, 8 *Carrington and Payne*, p. 652.

[2] Some of these cases are referred to in *ante*, vol. iii. p. 313 *note*.

that he would not fight Mr. Rigby Wason.[1] In 1841, the Serjeant-at-Arms was sent after Colonel Sibthorp, who had left the House on being told by Fox Maule that some words which he had spoken were below contempt.[2] At an intermediate period Lytton Bulwer was persuaded to say that he would not fight Praed, on being assured by Hardinge that he would not fight under similar circumstances. Such was the universal respect for a man who had been Wellington's second, who had challenged O'Connell, and who had never shown any disposition to shrink from a personal encounter, that it was felt that there was no necessity for fighting when Hardinge counselled peace.[3]

Lord Cardigan and Capt. Tuckett.

In the meanwhile, however, renewed attention was drawn to the practice, by the duel between a peer of the realm and an officer of the army. Lord Cardigan's overbearing disposition was already familiar to the people. Public opinion was accordingly rather shocked than surprised to find that he had fought a duel with one of his officers, Captain Tuckett. Both principals, as well as their seconds, were indicted at the Central Criminal Court for felony. The grand jury found a true bill against the peer, but ignored the charge against Captain Tuckett. Cardigan claimed, as a peer, the privilege of being tried by his peers.[4]

A peer accused of felony or treason is tried during the sitting of Parliament 'before the Court of our Lady the Queen, presided over by the Lord High Steward appointed by Commission under the Great Seal.'[5] A solemn proceeding of this character was so unusual that it might have been expected to make a profound impression on the nation. Denman, the Chief Justice of England, appointed by a special commission Lord High

[1] *Hansard*, vol. xxxiv. p. 412; and *ibid.*, p. 486.
[2] *Ibid.*, vol. lviii. p. 1378.
[3] *Ibid.*, vol. xliii. p. 1139.
[4] *Ann. Reg.*, 1840, Chron., p. 76, and 1841, Chron., p. 242, cf. *ibid.*, p. 278; *Hansard*, vol. lvi. p. 136.
[5] May's *Parl. Practice*, p. 621.

CHAP. XVII. 1841.

Steward for the purpose, presided at the trial; and the robes of the Judges on the Woolsack, of the Peers on the Benches, and of the ladies in the galleries added brilliancy to the scene. Yet the whole trial ended in a technical squabble, which defeated justice and covered the proceedings with contempt. Cardigan was indicted for firing at one Harvey Garnett Phipps Tuckett. It was proved at the trial that the wounded man was usually known as Captain Harvey Tuckett; it was proved also that an army agent had been in the habit of paying half-pay to a Captain Harvey Garnett Phipps Tuckett; but there was nothing to show that the Captain Harvey Garnett Phipps Tuckett, to whom the half-pay was paid, was the Captain Harvey Tuckett wounded in the duel. The difficulty could have been removed by calling Captain Tuckett and asking him a single question. It could, if Captain Tuckett had declined to answer, have been removed by calling him and asking the army agent to identify him. These common-sense expedients were not adopted by Campbell, the Attorney-General, who conducted the prosecution. Follett, the acute counsel who defended Cardigan, fastened on the blot. Denman himself declared that the identity was not proved; and the Peers, entertaining the 'strongest wish' that Cardigan 'should escape on some ground or other,'[1] acquitted the prisoner.

The result of the trial excited widespread indignation. Whatever had been the wish of the Peers, the wish of the people had been for Cardigan's conviction. They felt that if Cardigan had been a linendraper or tailor[2] indicted at the Old Bailey for stealing, justice would not have been allowed to miscarry on a technical point of no importance. Yet the proceedings,

[1] These expressions are Campbell's. See his *Autobiography*, vol. ii. p. 139. The trial of Lord Cardigan is reported in Townsend's *Modern State Trials*, vol. i. pp. 209–243; Cf. Arnould's *Denman*, vol. ii. p. 115.

[2] This was the phrase of the *Times*.

abortive as they were, did more than anything which had yet occurred to check the practice of dueling. The duelist, acquitted by his brother peers, stood condemned by public opinion. It was known, moreover, that the possibility of a conviction had entailed heavy expense on Cardigan. In the event of it his property would have been forfeited to the Crown; and to guard against such a forfeiture he had transferred the whole of it to his nephew. It was commonly reported that the stamps paid on the transfer amounted to 10,000*l.*; and it was argued, though perhaps inaccurately,[1] that Cardigan after his acquittal would have to incur a second expenditure of the same amount to recover his property. A duel, under such circumstances, became a much more dangerous matter than most people had imagined. A man who was a good shot had up to that time willingly incurred the slight risk to his own life which was inseparable from the encounter: he had the experience of a dozen verdicts to justify him in disregarding the consequences of a trial; but he had thenceforward the example of Cardigan to prove that he must take expensive precautions, involving legal assistance, to save his property. It thus became apparently necessary for a man of property to consult his solicitor before he fought a duel; and men who had not hesitated to risk their own lives or to assail the lives of other people disliked the necessity of incurring a solicitor's bill.[2]

[1] As the whole transfer was a friendly arrangement, the deeds transferring the property could apparently have been destroyed after the acquittal, and the expense of a second transfer thus avoided. The transfer and the sum which it cost are mentioned in the *Times*, Feb. 20, 1841. It is very doubtful whether it would have held good if Cardigan had been indicted for the capital offence and convicted.

[2] It ought to be added that the trial of Lord Cardigan deprived the peers of one privilege which it was supposed that they still retained. By an old statute (1 Edw. VI. c. 12, sec. 14) a peer was entitled to benefit of clergy on a first conviction for felony by simply alleging that he was a peer. Peel had obtained the repeal of benefit of clergy in 1827. *Ante*, vol. iii. p. 55. But it was doubted whether the repeal applied to the case of peers; and it was alleged that Cardigan, in the event of his conviction, had intended to claim benefit of clergy, as Lord Mohun,

CHAP. XVII. 1841.

The repression of dueling.

Dueling, however, though it had been discouraged, had not ceased. Less than three years after Cardigan's trial, the people were shocked to learn that two brothers-in-law, officers of the army, had, on a slight provocation, fought a duel; that the aggressor, Colonel Fawcett, had been killed by Lieutenant Munro; and that the latter had hastily left the country. The circumstances of this duel attracted general attention. The close relationship between the combatants, the anxiety which the survivor was known to have displayed to avoid an encounter, the awful punishment which he was enduring as an exile with the stain of blood upon his hands, aroused some sympathy in his favour. But the public loudly demanded that steps should be taken to prevent the possibility of such encounters in future. The Ministry had the courage to supersede Munro, and to refuse Mrs. Fawcett the pension of an officer's widow. The Queen's husband made a curious, though well-intentioned, suggestion for the establishment of Courts of Honour in the army and navy, to which disputes could be referred. A society was formed in London for the abolition of dueling; and was joined by 13 admirals, 67 field-officers, 32 captains in the navy, 36 captains in the army, 17 lieutenants in the navy, 31 peers, 141 civilians, 16 members of Parliament, and 1 clergyman. A motion was proposed in Parliament that 'dueling is immoral in its tendency, that it brings into contempt the laws of the country, that it is contrary to divine command, and ought to be abolished': and in April 1844 amended articles of war were issued enjoining officers to offer and accept apologies instead of fighting duels; and subjecting them, if they still chose to fight, to the penalty of being cashiered. One hundred years is only

Lord Warwick, and Lord Byron had done before him. After Cardigan's trial a short Act was accordingly passed to remove the doubts which had arisen and repeal the statute of Edward VI., and one more privilege of peerage accordingly disappeared. 4 & 5 Vict. c. 22.

a short period in the history of a nation, yet one hundred years may produce many revolutions in politics and manners. In November 1746, a Secretary at War had written to an officer in command of troops to tell a young officer in his command that he must either fight a duel or be broke. In April 1844, the Queen's Regulation declared that an officer who chose to fight a duel should be cashiered. Such was the opinion of Court and Ministry in the days of Pelham, and such was the change in the days of Peel.[1]

Dueling in the army was almost entirely terminated by this alteration in the regulations. A year afterwards challenges in Parliament were further discouraged by the moral courage of a member of the House of Commons. Roebuck, challenged by Somers for some language which he had used in a debate, brought the challenge before the House as a breach of privilege. Ashley, seconding and thanking Roebuck, declared that he had viewed with disgust and horror the prevalent notion of what is miscalled honour. Men of influence and position expressed their approval of Roebuck's conduct, and still more emphatically of Ashley's language. Somers hastened to apologise for the part which he had played in the matter, and a new blow was given to the dying practice of dueling. A challenge ceased to be possible when it was treated as a breach of privilege.[2]

Characteristics of the period.

Such a revolution in manners, if it had stood alone, would not perhaps have justified an extended notice. Its importance arises from the company in which it

[1] For the decision to refuse Mrs. Fawcett her pension and to supersede Lieutenant Munro, *Hansard*, vol. lxxiii. p. 807. The debate on the motion condemning dueling is in *ibid.*, p. 1016. For the society to suppress dueling, *ibid.*, p. 1018, and the *Life of Sir H. Lawrence*, p. 136 *note*. Cf. Martin's *Prince Consort*, vol. i. pp. 169–72; Warren's *Miscellanies*, vol. ii. p. 341; Albemarle's *Fifty Years of my Life*, vol. i. p. 122; and for some famous duels, Croker's *Memoirs*, vol. ii. p. 407.

[2] The debate is in *Hansard*, vol. lxxxi. p. 601.

CHAP. XVII. 1841.

is found. A decade in which dueling fell into disuse, in which the press-gang was virtually abolished, in which cruel punishments in the army were reduced both in number and severity, in which the worst evils of the transported convict's lot were alleviated, in which counsel were first allowed to felons, in which imprisonment for debt on mesne process was prohibited, in which slavery was abolished, in which the slave trade was attacked, in which the first effective Factory Act was passed, in which little children were released from sweeping chimneys, in which dogs were prohibited from drawing—a decade in which the first grant was made by Parliament for the encouragement of elementary education, in which mechanics' institutes were promoted, in which public baths and washhouses were first provided,[1] in which singing-classes were formed in London, in which schools of design had their origin, in which free libraries were purchased for soldiers, in which a national gallery was first built, in which Victoria Park was purchased, has higher claims on posterity than are afforded by the Parliamentary contests of Russell and Peel. Those who recollect that pauperism and crime attained their maxima in 1842, and that since 1842 crime has decreased and pauperism diminished, will be tempted to ascribe the happier conditions of modern England to the change of thought which accompanied or succeeded Parliamentary reform.

[1] Perhaps these cannot fairly be included in the decade 1833–1843. The first bath and washhouse in London was instituted on a small scale in Glasshouse Yard in 1845. In one year 27,662 persons had bathed, and 35,680 persons had washed 260,526 articles in them. *Hansard*, vol. lxxxvii. p. 107.

CHAPTER XVIII.

CHAP. XVIII. 1841.

The formation of Peel's Administration.

THE General Election of the summer of 1841 proved the termination of an important chapter of British history. The country, wearied with Whig rule, preferred Conservative candidates; and the Whigs, fatally defeated on the Address, had no alternative but retirement from power. Their resignation paved the way for the return of Peel to office. But the Conservatives under Peel in 1841 formed a very different body from the Conservatives under Peel in 1834. In 1834 Stanley had refused to join the Ministry. In 1841 he readily consented to accept office; his accession was followed by that of Graham and Ripon; and the Conservative party was thus strengthened by its junction with three out of the four statesmen who had seceded from the Whigs in 1834.

The construction of the new Government was facilitated by this circumstance. Peel himself became First Lord of the Treasury; Wellington consented to serve in the Cabinet without office; Lyndhurst resumed his seat on the woolsack; Goulburn was made Chancellor of the Exchequer; Graham, Aberdeen, and Stanley respectively received the seals of the Home, Foreign, and Colonial Departments. Five other peers, Buckingham, Haddington, Ripon, Wharncliffe, and Ellenborough, and two other commoners, Hardinge and Knatchbull, were given appointments in the Cabinet. The Cabinet thus comprised fourteen members, eight of whom were peers, and six of whom were commoners.

CHAP. XVIII. 1841.

It was far larger than Peel himself would have probably desired. He had long before acknowledged that a council of nine members did business more effectually than one of thirteen.[1] The necessities of the situation, however, compelled him to sacrifice his own views. Anxious to secure the co-operation of the moderate Conservatives, of the old Tories, and of the Whig seceders, he was forced to admit the representatives of the three parties into the council chamber.

Large as the Cabinet was, the majority of its members exercised little influence on its counsels. Buckingham, Haddington, Ripon, Wharncliffe, Goulburn, and Knatchbull had neither the ability nor the status which would have enabled them to have spoken with very great weight in the closet. Six of the other members of the Cabinet were of a different calibre. The reputation of Wellington, the genius of Lyndhurst, the prudence of Aberdeen, the eloquence of Stanley, the capacity of Graham, raised these five men to a high rank. None of the five, however, had the experience, the information, and the judgment which made Peel the superior of them all. In an unreformed Parliament Wellington, Lyndhurst, and he had composed the triumvirate which had regulated the business of the State; in a reformed Parliament Peel alone shaped the destinies of his Ministry.

The superiority of Peel.

His difficulties.

Never before had British Minister a more serious task before him. Abroad the heavens were black with clouds. The East, notwithstanding Palmerston and Napier, was still ruffled by action; France had neither forgotten nor forgiven the policy of 1840; Canada was still brooding over her wrongs; the United States were preparing for war; China was actually struggling with the British Empire; and disaster was already prepared for British arms in Afghanistan. At

[1] *Hansard*, vol. xxix. p. 369.

home the prolonged depression of trade had produced severe distress; distress in its turn had led to riot; and the Ministry had to deal with two formidable organisations: one prepared by the working classes to secure their own political supremacy; the other inspired by the manufacturing classes to promote free trade in corn. The people, moreover, were demanding the immediate repeal of the new Poor Law. An increasing expenditure and a contracted revenue were perplexing statesmen. The haste with which the preceding Parliament had been dissolved had even interfered with the necessary financial arrangements for the year. Every difficulty which could embarrass a statesman stood in the way of Peel and his new colleagues.

Yet there were circumstances in the situation which lessened these embarrassments. The majority over which Peel presided was loyal in its support of him; a few months after the dissolution, the birth of a Prince of Wales gave the people a new interest in the monarchy; and a slight revival of trade induced the hope that the nation might ultimately recover some portion of its previous prosperity.[1] The period of the year, moreover, at which Peel took office was of advantage to him. Members of Parliament, anxious to return to their country seats and their country amusements, were desirous to help the Ministry to transact the necessary business of the autumn, and to leave it leisure to prepare undisturbed its measures for the succeeding year.

His first duties.

Two things required to be done before Parliament was prorogued. Baring had made no provision for the estimated deficit of about 2,500,000*l.* On the 27th of September Goulburn proposed to raise 5,000,000*l.* of

[1] There is a curious letter of Dr. Arnold to Bunsen, in which he says: 'Trade seems reviving, although I suspect that in many markets you have excluded us irrevocably.' See Dean Stanley's *Life of Arnold*, vol. ii. p. 250.

CHAP. XVIII. 1841.

new stock, applying one half of the sum to extinguishing the deficit, the other half to funding a similar amount of Exchequer bills.[1] There was nothing either heroic or offensive in this proposal, and the scheme was approved. With almost equal readiness Parliament agreed to continue the Poor Law till the end of the following July. Everyone saw that it was reasonable that the law should be continued till the Ministry had leisure to examine the questions involved in its repeal. The Commissioners conciliated their opponents by relaxing some of their regulations, and the Ministers succeeded without much difficulty in obtaining the powers which they required.[2]

The session of 1842.

Public business being thus facilitated, a few days' work enabled the Ministry to get through its labours. Peel only took his seat after his re-election on the 16th of September; on the 7th of October, Parliament was prorogued.[3] The second session of the new Parliament commenced on the 3rd of February, 1842. The subjects with which it was necessary to deal were clearly indicated in the speech from the throne. The Queen recommended 'the state of the finances and of the expenditure of the country' to the consideration of the legislators; and she urged them to consider the state of the laws which affected the import of corn and of other articles the produce of foreign countries.[4] The speech naturally excited considerable expectation.

The Corn Laws.

Amidst the general expectancy, Peel explained the scheme which he proposed to substitute for the existing Corn Law. Under the law which had been passed in 1828, the duty varied with the price. When the price of wheat was 59*s.* to 60*s.* a quarter, foreign wheat was admissible at a 27*s.* duty; when the price exceeded 73*s.* a quarter, it was admitted at a 1*s.* duty. Between

[1] *Hansard*, vol. lix. p. 834.
[2] *Ibid.*, pp. 513, 703, 881, and 953.
[3] *Ibid*, vol. lix. p. 624.
[4] *Ibid.*, vol. lx. p. 3.

these two extremes there were numerous variations in the duty: when the price of wheat was 64*s.* a quarter, the duty amounted to 23*s.* 8*d.*; when the price rose to 66*s.*, the duty fell to 20*s.* 8*d.*; when the price rose to 69*s.*, the duty fell to 16*s.* 8*d.* Up to this point, therefore, every addition to the price of wheat was attended by a corresponding fall in the rate of duty. When the price of wheat, however, exceeded 70*s.*, the duty fell much more rapidly, and every addition of a shilling to the price reduced the duty, on an average, by 4*s.* The benevolent statesmen who devised this singular arrangement imagined that 70*s.* was a famine price, and that the importation of corn should be facilitated at this price. They failed to notice that their excellent intentions had the effect of creating the scarcity which they had desired to avoid. When the price of wheat once rose to 69*s.*, it was the clear interest of the importer to keep back his corn till the price rose to 73*s.* The slight rise of 4*s.* in the price immediately saved him from 15*s.* 8*d.* of the duty.[1]

In altering the Corn Law, Peel decided on removing this obvious objection to it. He adhered to 73*s.* as the price at which the 1*s.* duty should commence. He suggested a 20*s.* duty, when the price stood between 50*s.* and 51*s.* Between the two extremes he proposed a graduated duty, falling as the price rose from 50*s.* to 52*s.*, from 55*s.* to 66*s.*, and from 69*s.* to 73*s.*, but temporarily resting between 52*s.* and 55*s.*, and 66*s.* and 69*s.*[2] The odd arrangement which was thus suggested would, Peel thought, tend to encourage the importation of corn at each of the proposed resting-places. The proposal was not entirely acceptable either to his friends or his opponents. The former declared that the Minister had thrown over the landed interest. The latter

[1] This effect of the old Corn Law was clearly explained by Peel in *Hansard*, vol. lx. p. 223.

[2] *Ibid.*, p. 228.

CHAP. XVIII. 1842.

denounced the measure as an insult to a suffering people. The Corn Law League adopted this language;[1] and Russell, reverting to the proposal which he had made in office, asked the House to resolve that 'considering the evils which have been caused by the present Corn Laws, and especially by the fluctuations of the graduated or sliding scale,' it 'was not prepared to adopt the measure.'[2]

The resolution which Russell thus proposed conveniently raised a distinct issue between the two parties. Peel had placed before Parliament a graduated scale, dependent on the price of corn; Russell, a fixed duty, having no reference to the price. The issue was in principle similar to that which twenty years before had been raised by Londonderry on one side and Ricardo on the other.[3] The House might have almost contented itself with reading the old debates of 1822, instead of again discussing the issue in 1842. The House, however, debated Peel's new proposal for three nights. In these debates the Cabinet was represented by Knatchbull and Graham; but Peel found his most competent assistant in a younger man. Mr. William Gladstone, the son of a Scotch merchant settled at Liverpool, was born in 1809. Like his great leader, Peel, he followed up a brilliant career at a great public school, by taking a very high degree at Oxford. Fortunately, even the doors of a reformed Parliament were open to a young man of exceptional promise; and the Duke of Newcastle, anxious to maintain his influence at Newark, invited Mr. Gladstone to stand for his borough. The Tory duke watched with satisfaction the progress of the young politician whom, he probably thought, he had

Mr. Gladstone.

[1] *Malmesbury's Memoirs of an ex-Minister*, p. 103; *Quarterly Review*, vol. lxxi. p. 267.

[2] *Hansard*, vol. lx. pp. 235, 358. 2,881 petitions, with 1,540,000 signatures, were presented either for the repeal of the Corn Laws or against Peel's bill. Prentice, *History of the Corn Law League*, vol. i. p. 328.

[3] See *ante*, vol. ii. p. 32.

distinguished by his notice. Mr. Gladstone, whose father had possessions in the West Indies, made his mark in the first reformed Parliament by a vigorous defence of slavery and the planters. His ability was rewarded by a subordinate office in Peel's first Administration. From 1835 he became one of the recognised supporters of Conservative principles. Supporting Graham's motion, condemning the war with China, in 1840;[1] supporting Sandon's resolution on the sugar duties in 1841,[2] he had strong claims on the Conservative Ministry. His services were rewarded with two offices, the Vice-Presidency of the Board of Trade, and the Mastership of the Mint; and his ambition was further gratified by his appointment to the Privy Council. Anyone, however, who will turn back to the debates of 1842 will see that these various honours were worthily bestowed. The brunt of every great contest in that session fell on Peel; but Peel found his most capable lieutenant in the young orator whom he had just raised to the Privy Council.

The first occasion after his acceptance of office on which Mr. Gladstone rendered effectual service to his party was in replying to Russell's criticisms on Peel's scheme. In preferring a fixed duty to Peel's graduated scale, Russell was adopting the wiser and more statesmanlike course. But there was one objection to Russell's fixed duty. In periods of scarcity, when the price of corn was high, it imposed a much heavier burden on the consumer than Peel's scale. Both statesmen practically proposed when the price was 64*s.* that the duty should be 8*s.* But Peel contemplated that every further rise in the price should be attended with a corresponding fall in the duty. Russell saw the advantage which this circumstance gave to his opponent, and suggested as a matter for consideration that when the price rose to 73*s.* the

[1] *Hansard*, vol. lv. p. 1029. [2] *Ibid.*, vol. lviii. p. 160.

CHAP. XVIII. 1842.

8*s.* duty might be changed into a 1*s.* duty.[1] Mr. Gladstone at once fastened on this suggestion. What would be the effect, he asked, of the two schemes on an importer of corn when the price of wheat stood at 64*s.*, the point at which both Russell's and Peel's scheme met, at which 'these two great planets were in conjunction'? Under Peel's scheme the importer would have an inducement to let in his corn which would increase with every increase in price; under Russell's scheme he would have every inducement to keep back his corn till the price rose to 73*s.*[2] Russell's scheme thus reproduced one of the evils of the old law, and would prove a source of inconvenience to the consumer.

It is probable that the great body of members only imperfectly understood the issues which were thus laid before them. But the majority of them had been returned to Parliament pledged to reject Russell's scheme, and Russell accordingly experienced a decisive defeat.[3] This division, however, did not terminate the controversy. Two days after the defeat of Russell's amendment, Mr. Villiers proposed the total repeal of the Corn Laws. The consequent debate spread over five nights; but total repeal found little favour on either side of the House, and Mr. Villiers was defeated by a large majority.[4] On the following day, Christopher, one of the members for Lincolnshire, a county which has been always remarkable for its fidelity to protection, endeavoured to obtain a slightly higher scale of duties than that which had been proposed by Peel. Christopher, however, did not venture to press his own views to a division. A subsequent proposal to levy relatively higher duties on barley was also defeated; and Peel's scale was embodied in a bill, which was read a first and second time in the first fortnight of March.[5]

The Budget.

For a whole month the time of the House of Com-

[1] *Hansard*, vol. lx. p. 352.
[2] *Ibid.*, p. 370.
[3] 349 votes to 226. *Ibid.*, p. 620.
[4] 393 votes to 90. *Ibid.*, p. 1082.
[5] *Ibid.*, pp. 1103, 1184; and vol. lxi. pp. 44 405.

mons was occupied almost continuously with these discussions. But the members were already eagerly expecting a more important debate. From the commencement of the session men had intently speculated on the financial measures which it was known that Peel was preparing. During the whole month, however, in which the House was engaged on the Corn Law, Peel made no sign. He declined to commit himself to an imperfect statement,[1] and he waited till the Army and Navy estimates were voted to bring forward his Budget. At last, on the 11th of March, he rose to allay the general expectation. Baring, in 1841, had estimated the revenue of 1841-42 at 48,310,000*l.*, the expenditure at 50,731,226*l.*, and had placed the deficit at 2,421,776*l.*[2] Peel, speaking within three weeks of the close of the financial year, placed the revenue at 48,053,000*l.*, the expenditure at 50,387,000*l.*, the deficit at 2,334,000*l.* The deficit of 1837–38 had amounted to 1,400,000*l.*, the deficit of 1838–39 to 400,000*l.*, the deficit of 1839–40 to 1,457,000*l.*, the deficit of 1840–41 to 1,842,000*l.*, the deficit of 1841–42 was estimated at 2,334,000*l.* The gross deficits of these five years had exceeded 7,400,000*l.* But the evil did not stop here; the expenditure of 1842–43 was placed at 50,819,000*l.*, the revenue at only 48,350,000*l.* There was every probability, therefore, that a further sum of 2,470,000*l.* would be added to the gross deficit in the ensuing year; and that the accumulated deficits of the six years would amount to almost 10,000,000*l.*[3]

[1] *Hansard*, vol. lx. p. 147.

[2] See *ante*, vol. iii. p. 527.

[3] The figures were as follows:—

Revenue, 1842–43.	
Customs	£22,500,000
Excise	13,450,000
Stamps	7,100,000
Taxes	4,400,000
Post Office	500,000
Crown Lands	150,000
Miscellaneous	250,000
	£48,350,000

Expenditure, 1842–43.	
Debt and Consolidated Fund	£31,795,000
Army	6,617,000
Navy	6,739,000
Miscellaneous	2,800,000
Ordnance	2,084,000
Fortifications	108,000
China	675,000
	£50,818,000

or £50,819,000, *Hans.*, vol. lxi. p. 426.

CHAP. XVIII. 1842.

For six years a Whig Ministry had tolerated these discreditable deficiencies. Spring Rice had made no effort, and Baring had failed in his attempt, to determine them. His addition of five per cent. to the customs and excise in 1840 had broken down.[1] His modification of the sugar and timber duties in 1841 had been rejected by Parliament. It was obvious that Peel in 1842 could not resort to the proposal which he had assisted in defeating in 1841, or to the measure which had proved abortive in 1840. One expedient, however, was open to the financier; and Peel had the courage to impose a direct tax on income. He proposed to place for the next three years a tax of sevenpence in the pound, or of almost exactly three per cent., on each person's income; but to exempt from its operation all incomes of less than 150*l.* a year, and all Irishmen, except Irish landlords residing in Great Britain. Ireland being excused the tax, Peel increased the duty on Irish spirits by 1*s.* a gallon. In addition to these arrangements, he decided on equalising the stamp duties, and on subjecting coal exported in British bottoms to the tax of 4*s.* charged on coal exported in foreign vessels. By these various methods he expected to derive an income of 4,380,000*l.*, and thus convert his deficit of 2,470,000*l.* into a surplus of 1,900,000*l.*[2]

The Income Tax revived.

Protection duties.

By one bold stroke Peel had succeeded in converting a deficit into a surplus. By another bold stroke he applied his surplus towards the relief of trade. In 1842, the tariff enumerated no less than 1,200 articles. Every commodity which either necessity or fancy required paid

[1] Peel said in 1842 that the five per cent. ought to have produced 1,895,000*l.*, and that it only yielded 206,000*l.* *Hansard*, vol. lxi. p. 432.

[2] Peel expected to derive 3,770,000*l.* from the income-tax, 160,000*l.* from stamps, 250,000*l.* from spirits, and 200,000*l.* from coal; total, 4,380,000*l.* *Ibid.*, p. 449. By an odd mistake, which is corrected in the text, he placed the deficit in his speech at 2,570,000*l.*, instead of 2,470,000*l.* Peel subsequently explained that he had provided the additional 100,000*l.* to meet any deficiency which might arise or special emergency. Cf. *ibid.*, pp. 842 and 902.

toll at the custom-house. Many of these duties, however, were not raised for the sake of providing a revenue for the State; the majority of them were imposed for the sake of protecting the British manufacturer or the British colonist. The country gentlemen who had governed England for one hundred and fifty years had displayed the merit of consistency in their principle. They taxed foreign corn, foreign meat, and foreign wool for the sake of maintaining their own rents; they taxed foreign commodities for the sake of maintaining the profits of the manufacturers. In their universal benevolence they were ready to listen to any cry for protection which was raised by the humblest interest; the only interest which they consistently disregarded was that of the consumer. The great town of Birmingham once seriously desired that the use of shoestrings instead of buckles should be prohibited; and it is probable, if shoestrings had only been imported from abroad, the absurd request would have been complied with. Some member, however, recollected that, if Birmingham made buckles, Coventry made ribbons, and the House, unable to decide between two such mighty claims, suffered the consumer to tie instead of buckling his shoe.[1] Birmingham succeeded in surviving the crisis in its trade which the change of fashion had threatened. But the House neglected to apply the lesson which it might have learned from the incident. Members, who thought it the first duty of freemen to free themselves from competition, forgot that in freeing themselves from competition they had ceased to be free.

Something, indeed, had been already done by Wallace and Huskisson to remove some of the encumbrances by which trade had been fettered. But their reforms, whose nature has already been described in this history,

[1] The story was told by Slaney in the House of Commons in 1830. *Hansard*, New Series, vol. xxiv. p. 686.

CHAP. XVIII. 1842.

had only touched a few of the chief commodities of trade. Bolder than his predecessors, Peel dealt with the whole 1,200 articles affected by the tariff.[1] The duties on the raw materials of trade, he proposed, should never exceed five per cent.; the duties on articles partly manufactured, twelve per cent.; the duties on manufactured articles twenty per cent. of their value. These three decisions affected 750 out of the 1,200 articles, or nearly two out of every three articles, enumerated in the tariff. So miserable was the effect of prohibitory duties that the policy only involved a loss of 270,000*l.* a year. In addition to this great reform, Peel reduced the duties on stage coaches, on foreign and colonial coffee, on foreign and colonial timber, and repealed the export duties on British manufactures.[2]

Debates on the Budget.

The great Budget which was thus introduced led to fierce debates. But public men of both parties were so startled at the apparition of an income-tax that they confined themselves in the first instance to that part of the scheme. Peel's original intimation that an income-tax would be proposed was received in 'ominous silence' from his own supporters.[3] The silence was not imitated by the Opposition. Baring,

[1] It must be recollected that in the Budget Peel was fortified by the report of the Import Duties Committee. The inquiry before this Commission did perhaps more to destroy protection than any other work which can be mentioned. Disraeli called the evidence 'the greatest work of imagination of the nineteenth century.' *Hansard*, vol. xcvii. p. 431. But no other work either of fact or imagination had a greater influence.

[2] The relief involved a loss of Revenue of

750 Articles . .	£270,000
Coffee . . .	170,000
Timber . . .	600,000
Export duties .	100,000
Brought forward :—	
Stage Coaches. .	70,000
	£1,210,000

Hansard, vol. lxi. pp. 450-463. It is said that, under the old system, Baltic timber was carried from the Baltic to Canada, reshipped, and brought back to England so as to come in at a 10*s.* instead of a 55*s.* duty. *Hansard*, vol. xxvii. p. 214. In the same way, before 1842, Brazilian coffee was carried to the Cape in order that it might be imported at the 9*d.* (or East Indian) duty instead of the 1*s.* 3*d.* (or foreign) duty. *Ibid.*, vol. lxi. p. 457. Such were the miserable shifts to which the Protectionists drove the trader.

[3] *Hansard*, vol. lxi. p. 1123.

speaking with the authority of an ex-finance minister, objected to the duty. Russell, rising as the mouthpiece of the Whig party, supported Baring's objection. Brougham, recollecting the memorable victory which he had won in the same cause in 1816, and perhaps fancying that some portion of the influence which he had possessed as a commoner still clung to him as a peer, invited the Lords to insist on the tax being made a temporary burden; and the Opposition generally, imagining that the murmurs of their leaders in the House would be echoed in the country, clamoured for the adjournment of the debates till after the Easter holidays. The contemplated agitation, however, perished in the hour of its birth. The Lords, alarmed at the possible consequences of a controversy on financial subjects with the Commons, persuaded Brougham to withdraw his resolution; the Queen set an example to her subjects by promising that her own income, free by the rules of the Constitution from taxation, should be subjected to the new burden; and the people, instead of petitioning against the bill, imitated the example of their Sovereign, and met in many cases to pass resolutions in its favour.[1] The Whigs had already lost repute by their careless administration of the national finances; they incurred still further obloquy by their attempt to defeat the measures which Peel was taking to restore the credit of the State.

The session was almost entirely occupied by the debate on Peel's proposals. Every portion of the Budget afforded an opportunity for repeated discussions. The new income-tax, the new corn law, the new tariff, the new spirit duties for Ireland, had, each and

[1] For Brougham's resolution, *Hansard*, vol. lxi. p. 507; for its withdrawal, *ibid.*, p. 755; for Baring's speech, *ibid.*, p. 840; for Russell's, *ibid.*, p. 897; and cf. the debates, *ibid.*, pp. 944 and 1118; for the Queen's message, *ibid.*, p. 659. A large meeting was held at Sunderland to denounce the Budget; a resolution in its favour was proposed and carried almost unanimously. *Ibid.*, vol. lxii. p. 246.

CHAP. XVIII. 1842.

all of them, to be embodied in separate measures; and at every stage of each of these measures renewed discussion became possible. Russell himself opposed the first reading of the Income Tax Bill; Charles Buller, a little later, urged the House to reject it on its second reading; Hume, trying to minimise the evil which the Opposition apprehended from the tax, endeavoured to limit its duration to a year; Elphinstone, embodying in a formal resolution the views of advanced Liberals, desired to substitute for it a tax on the succession to real estate; and Roebuck, animated by similar considerations, tried to relieve professional men from one half the burden of the tax. The wordy warfare did not cease with the passage of the bill through the Commons. When the bill reached the Lords, Lansdowne proposed a resolution objecting to it, and the passionate discussions only terminated with the passage of the measure.[1] The discussions on the tariff were even more prolonged. The tariff invited the opposition of two distinct parties. Protectionists were alarmed because it went so far; free traders were concerned because it did not go far enough. One party thought it dangerous, the other inconsistent. Protection, indeed, was already becoming unfashionable. Only a minority of the House of Commons in 1842 was ready to avow its deliberate antipathy to free trade. In theory most members were free traders; it was only when he descended from generals to particulars that the free trader became a protectionist. One member, in the interests of the shoemakers, wanted an increased duty on women's shoes; another member, in the interests of the Isle of Portland, wanted an increased duty on foreign stone; a third, trembling for the future of Cornwall, proposed higher

[1] The debates referred to in the text are in *Hansard*, vol. lxii. pp. 640–710; *ibid.*, p. 998–1040; *ibid.*, pp. 1139–1164; *ibid.*, vol. lxiii. p. 241; *ibid.*, vol. lxiv. pp. 24, 83.

duties on foreign copper; and Peel mentioned a Scotch correspondent of his own who was a good free trader in everything except herrings.[1] But the country gentlemen were, as usual, most persistent in their struggle for protection. Confronted with a new corn law and a new tariff, they trembled for their own rents, and for their country's future. The tariff proposed the introduction of cattle, bacon, apples, vegetables, cheese, and butter—articles whose importation had been previously prohibited—at moderate rates of duty. The agriculturists endeavoured to raise the rates on all these articles. In only one instance did they succeed. Apples, the Government decided, should pay 6*d.* a bushel, and the decision was generally ascribed to the determination of Knatchbull, the member for Kent and Paymaster of the Forces, to protect the orchards of his constituents. On every other point the protectionists were beaten, and the agriculturists were forced to contemplate the possibility of competition with foreign countries.[2] In the discussions which thus took place the spokesmen of the Government almost uniformly used the language of protectionists. They endeavoured to reassure the drooping spirits of their supporters by proving that the protection which the tariff still secured was adequate for all practical purposes.[3] Protection was still the mainspring of their policy. It was in vain that Roebuck endeavoured to equalise the duties on foreign and colonial timber, and on foreign and colonial sugar. The protectionists rallied in the defence of colonists and planters; and the free traders were

[1] *Hansard*, vol. lxiii. pp. 363, 761, 1365, 1495.

[2] Miles tried to increase the duty on foreign cattle from 1*l.* per head to 8*s.* per cwt. *Hansard*, vol. lxiii. p. 617; and cf. p. 688. See also for the duty on onions and potatoes, *ibid.*, p. 753.

[3] See, for instance, Goulburn's remarks on the duty on shoes, and Mr. Gladstone's defence of the duty on cotton and iron to protect minor branches of the cotton and iron trades. *Hansard*, vol. lxiii. pp. 1365 and 1367.

CHAP. XVIII. 1842.

decisively defeated.[1] The Ministry, in fact, was not satisfied with maintaining the bulwarks of protection, it decided on retracing a step which Parliament, eleven years before, had taken in the direction of free trade. Althorp, in 1831, had been wise enough to reduce the duties on the export of coal; and the trade had grown to an unprecedented extent in consequence. A great geologist, however, alarmed at the possible consequences of the exhaustion of the mines, and successful in instilling his own fears into the breast of the Minister, persuaded the Government to propose an export duty of 4*s.* a ton on coal. The indignant remonstrance of the trade forced the Government into a compromise; and the duty was ultimately fixed at 4*s.* a ton on coal exported in foreign ships, and at only 2*s.* a ton on coal exported in British vessels. Men probably considered that they had done something to postpone the catastrophe which geologists predicted. They omitted to observe that, as every ton of pig-iron presumed the consumption of three tons of coal, the exhaustion of England was much more effectually precipitated by the export of iron pigs than by the export of coal.[2]

Yet, notwithstanding the objections which free traders might raise, the Budget of 1842 proved the first great advance in the direction of free trade. It did not remove the shackles under which trade was struggling, but it relaxed the fastenings and lightened the load. The language, too, which Peel habitually used was infinitely more liberal than that of his colleagues; and it was possible to deduce from his language that free trade in corn was the direct result of his policy. 'I have a deep impression,' so he declared, 'a

[1] For the motion on the sugar duties, *Hansard*, vol. lxiii. p. 1155; for that on the timber duties, *ibid.*, p. 1280.

[2] For the coal duties, *Hansard*, vol. lxiii. pp. 1545–85.

firm conviction, that population is increasing more rapidly than the supply of provisions in this country.'[1] The opinion induced him in 1842 to encourage the importation of foreign cattle and foreign meat. It was easy to infer that it might force him at some future time to sanction the admission of foreign corn.

The distress of the people

And never since England had been a nation was the need for cheap food more apparent. The distress which had been increasing since 1837 had attained proportions which it is difficult to realise. The Government was fully conscious of its extent and its severity. Early in May, Ministers advised the Queen to issue a letter recommending the collection of subscriptions for the poor in every parish church; they sent down a Commission to Paisley, and provided funds for the relief of that district.[2] These arrangements, however, made no perceptible impression on the vast load of suffering under which the population was sinking; the almost universal poverty which was the lot of the spring became even more marked in the summer. The Opposition endeavoured to deduce from these circumstances the necessity for fresh laws. In the beginning of July, Wallace, in the Commons, proposed that the session should be prolonged until after an inquiry had been made into the cause of the people's misery. Ten nights afterwards, Brougham, in the Lords, suggested

[1] *Hansard*, vol. lxiii. p. 662. Steam had taught Peel a lesson which he might otherwise have never learned. Steam had enabled Irish cattle, &c., to be imported in large quantities into England. In 1825 72,000 sheep, 63,000 cattle, and 65,000 swine were imported from Ireland into England. In 1840 these numbers had risen to 193,000 sheep, 120,000 cattle, and 384,000 swine. Yet the increased importation had not reduced prices (which, on the contrary, had risen), and had not, therefore, injured the English farmer. *Hansard*, vol. lxiii. p. 380. Peel put the consumption of London at 170,000 or 180,000 cattle a year; that of England at 1,300,000 or 1,500,000. The numbers are inaccurately printed in *Hansard* as 13,000,000 and 15,000,000. Mr. Gladstone put the consumption—apparently more accurately—afterwards at 200,000 oxen for London, and 1,600,000 for all England. Cf. *ibid.*, p. 641.

[2] *Ibid.*, pp. 685, 886.

CHAP. XVIII. 1842.

the appointment of a Select Committee to undertake the inquiry. Brougham and Wallace were unable to secure any effectual support for their motions.[1] Peel, convinced of the wisdom of his own measures, declined to be forced into exceptional or additional legislation, and the long debates which Wallace and Brougham originated were only useful in acquainting the people with the price which they were paying for the dying system of protection.

The cost of protection.

In fact, the consequences of the old policy of protection, which Peel had not yet abandoned, had been only imperfectly understood before the debates of 1842. Educated men, indeed, capable of appreciating the deductive reasoning of Adam Smith, were acquainted with his objections to the commercial system of the eighteenth century. But the people had not read the 'Wealth of Nations,' and could not have understood it if they had done so. For their information the cost of protection was translated into plain figures. It was shown that the differential duties on foreign and colonial timber virtually imposed a tax of 2,000,000*l.* a year on the people; that the same system raised the price of sugar by 20*s.* a cwt., or, on an average consumption of 4,000,000 cwt., imposed a tax of 4,000,000*l.* on the nation. It was estimated that the average duty on wheat amounted to 10*s.* a quarter, and that, as the people consumed 24,000,000 quarters a year,[2] the bread tax was equivalent to an annual tax of 12,000,000*l.* Protection, therefore, in the case of these three articles was imposing a charge of 18,000,000*l.*, a sum exceeding one-third of its revenue, on the overtaxed people of this country. The three interests, indeed, in the eyes of agitators resolved themselves into one interest. The

[1] *Hansard*, vol. lxiv. pp. 861, 1238, 1241, 1288.

[2] It is variously estimated. The estimate in the text is from the Report of the Hand-loom Weavers, and is quoted in *Hansard*, vol. lxiv. p. 336.

country gentlemen of England were interested in the Jamaica plantations. The country gentlemen of England, while nominally protecting the forests of Canada, were in reality thinking of their own woods. The country gentlemen of England were inflicting dear bread on the poor for the sake of maintaining their own rents. 'Was ever an aristocracy so endowed?' asked Cobden in Parliament. 'They had the Colonies, the Army, the Navy, the Church; and yet they condescended to contend for a slice from the poor man's loaf.' 'If devils were lords in England,' wrote Ebenezer Elliott, 'they could but tax our bread.'[1]

Beaten on the Corn Laws, beaten on the tariff, beaten on the proposed inquiry into the causes of the distress, the Opposition yet decided to make one more effort for the sake of a suffering people. The price of corn had been high in 1841, a wet autumn had interfered with the sowing, and speculators anticipated that the price would be still higher in the autumn of 1842. They kept, therefore, their corn in bond, and declined to import it even under Peel's Corn Law. Sixteen years before, in a period of distress the Liverpool Ministry had suspended the Corn Law, and had persuaded Parliament to sanction the importation of foreign corn.[2] The precedent of 1826, it was urged, was exactly applicable to the situation of 1842. 'The people were hungry; let them eat,' said O'Connell in the simple language in which his most forcible appeals were couched. 'But they said there was no food. Let them tell him no such thing. There were, at this moment, 1,500,000 quarters of wheat lying in bond, waiting until prices became high enough for the landlords to allow the people to be fed.'[3]

[1] For the estimated loss by timber, *Hansard*, vol. lxiii. p. 1281; for that on sugar, *ibid.*, p. 1163; for the extract from Cobden's speech, *ibid.*, vol. lxiv. p. 1361.

[2] *Ante*, vol. ii. p. 142.

[3] *Hansard*, vol. lxiv. p. 1177.

CHAP. XVIII. 1842.

Peel, however, relying on his new policy, declined to give way. He had chosen his part, and nothing that the minority could do could move him from it. Under such circumstances the debates which the Opposition continued to raise could only be injurious to the public interests. They encouraged the corn-jobbers to keep back their corn in the vain hope that the law would be suspended and that it would be admitted free of duty. Throughout the earlier months of the year, moreover, the weather had promoted the speculation for a rise in prices. A wet autumn was followed by a wet spring; and an unusually cold May induced the best authorities to predict a late and bad harvest. Suddenly, however, the barometer rose, the clouds cleared away, and one of the wettest of Mays was followed by one of the hottest of Junes. The summer sun removed the effects of the spring clouds. The hot weather exerted an almost miraculous influence. The quality of the grain proved as good as the yield was satisfactory, and the whole of the harvest was cut and garnered a fortnight earlier than usual.[1]

The summer of 1842.

The sudden change in the weather in the summer of 1842 produced a marked effect on prices. During April, May, and June the price of wheat gradually rose from 58*s.* 5*d.* to 64*s.* 5*d.* the imperial quarter. The corn-jobbers, anticipating a further rise, and speculating on a possible suspension of the new Corn Law, kept back their corn, collecting no less than 2,000,000 quarters in bond. The price, instead of rising, remained almost stationary until after the 18th of August. The jobbers, by that time convinced that their speculation had failed, suddenly poured the whole of their corn on the market. An addition of 2,000,000 quarters of corn—nearly

[1] Tooke's *Hist. of Prices*, vol. iv. pp. 11, 12. Mr. Tooke is responsible for the 'miraculous influence,' and I have endeavoured in other respects to preserve the language of this very exact observer. The rainfall is recorded in *Ann. Reg.*, 1842, Chron., p. 378.

one-tenth of a year's consumption—had a necessary and immediate effect on prices. The home yield, proving one-fourth larger than usual,[1] stimulated the reaction; and the price of wheat, which had averaged 64*s.* 5*d.* in July, fell to 40*s.* in the autumn.[2]

Its effect on prices.

So sudden was the revulsion in prices that many persons were ruined by it. The corn-jobbers themselves experienced the fate which is the natural result of an unsuccessful speculation. The farmers were deprived of the advantages which the good harvest might have brought them, by the panic fall in the value of their produce. Even the poor, starving in their miserable habitations, were not relieved by cheaper food. They could not procure the wages, without which they could not buy even cheap bread.

During the first half of 1842 the poor had endured with patience the fate which was apparently overtaking them. Their conduct had received on more than one occasion the cold approval of the authorities. Poor ignorant men, they had, however, listened to the only advisers who condescended to instruct them. The Chartists told them that they were poor because they were not represented in Parliament; and that their political enfranchisement could not be refused if they had only the courage to insist on it. Many people thought with Sybil that the people had 'learnt their strength,'[3] and that the doors of Parliament would fly open before its peaceable demonstration. The first step in the demonstration was to petition the House of Commons. Three years before, indeed, the Chartists, in resolving on a similar attempt, had experienced an unexpected reverse.[4] They succeeded, notwithstanding their previous failure, in ob-

The Chartists.

[1] Tooke's *Hist. of Prices*, vol. iv. p. 13.

[2] *Ann. Reg.*, 1842, Chron., p. 377.

[3] *Sybil*, bk. iv. ch. xv.

[4] For the petition of 1839, *ante*, p. 52.

CHAP. XVIII. 1842.

taining 3,315,752 signatures to the petition which they presented to Parliament in 1842. They induced Duncombe to move that they should be heard either by themselves or by their counsel at the bar of the House. But the petition of 1842 proved as abortive as the petition of 1839. The Government refused to listen to a plea which it was resolved to reject. The most prominent members of the Opposition supported the policy of the Administration; the majority readily adopted the advice of its leaders; and the hearing which the petitioners claimed was accordingly refused.[1]

Such a refusal was perhaps inevitable; but it sounded like a death knell on the ears of the hungry men who had based their hopes on the petition. 'We mun speak to our God to hear us, for man will not hearken; no, not now, when we weep tears o' blood,' was poor Barton's reflection on the rejection of the petition of 1839.[2] Thousands of workmen, lapsed into despondency, unconsciously repeated the wail of despair in 1842.

The strikes of 1842.

Yet, amidst the general dejection, a few men clung to the idea which had animated them in 1839, and which still inspired them in 1842. Labour, they thought, could still obtain its rights if the labourers were only true to themselves. The various unions, in which they were organised, afforded the working classes the requisite machinery for maintaining a struggle against their employers, and their own voluntary abstention from work could force the capitalists to come to terms. The old eternal struggle between capital and labour was thus to be renewed, and the sole distinction of 1842 was that the campaign was to cover a wider area than usual, and to be conducted to a more decisive issue.

A pretext for a strike soon occurred. In July some

[1] *Hansard*, vol. lxii. p. 1373; and vol. lxiii. pp. 12–88.

[2] *Mary Barton*, ch. ix.

colliery owners in Staffordshire reduced the rate of wages from 4*s.* to 3*s.* 6*d.* a day. It had previously been the custom of the district to give the men a fortnight's notice of any such reduction. With utter indifference to the feelings of his workpeople, an employer gave notice that the reduction would take effect in forty-eight hours' time.[1] The men resisted the demand and appealed to the magistrates. The employers maintained their ground and blew out their furnaces. The struggle, first confined to a small centre, soon spread. The men on strike marched into the adjacent districts and forced the colliers to join them in desisting from work. A failure in the supply of coal threw the potters in the north of the county out of employment. The neighbouring counties soon caught the contagion. The flame, kindled in the first instance in Staffordshire, rapidly spread to Cheshire, Lancashire, Warwickshire, Yorkshire, to Scotland, and to Wales. In Cheshire and Lancashire alone 150 mills were stopped, and 50,000—some persons thought 150,000 persons—were thrown out of work. Committees of public safety regulated the conduct of the mob, and decided the conditions on which labour which they were pleased to regard as necessary should be performed.[2]

The strike was accompanied with many acts of deplorable violence. If, however, the condition of the people and the extent of the movement be recollected, surprise will be felt that the acts of outrage were not more general, and that the conduct of those who committed them was not worse. In several towns, indeed, the mobs plundered the shops of bread and other food; in many places they were brought into collision with

[1] I have followed Sir J. Graham's explanation of the original cause of the strike, in *Hansard*, vol. lxv. p. 438. Mr. Disraeli apparently founded on this speech the account in *Sybil*: '"What is Diggs doing?" said Master Nixon in a solemn tone. "A-dropping wages, and a-raising tommy like fun," said Master Waghorn.' *Sybil*, bk. vi. ch. vi.

[2] *Hansard*, vol. lxvi. pp. 1072–1074.

CHAP. XVIII. 1842.

troops and police, and blood was shed on both sides in these conflicts. In Staffordshire, where the riots almost amounted to an insurrection, public buildings and private houses were ransacked and burned. But the vast forces which had been set in motion might have been reasonably expected to have worked more disorder. The dull embers of suffering, once kindled into a flame, might have easily produced a wider conflagration.[1] The riots had commenced in July; before the end of August the disorders were virtually at an end. Work was, in most cases, quietly resumed; and the working classes relapsed into the dull despair which was the eternal condition of their lives.[2]

The increase of distress.

'When Toil plays, Wealth ceases,' said Gerard. 'When Toil ceases, the People suffer,' replied Sybil.[3] The great strike of 1842 proved the truth of both dicta. The prospects of improvement which were afforded by the good harvest were destroyed by the disturbances; and the suffering of the spring was exceeded by the deeper misery of the autumn. Almost every class in the kingdom participated in the universal distress. In one town, of which particulars were given, out of eighty shipbuilders thirty-six failed; five ceased working; the wages of the carpenters whom the remainder employed fell from 33*s.* to 21*s.* a week; the shopkeepers found it almost impossible to keep their shops open; the butchers sold only one-half the quantity of meat which they had disposed of the year before; the relief of the poor, which had only cost 7,035*l.* in 1837, amounted to 14,232*l.*; and the charitable people of the neighbourhood contributed 2,192*l.* in money and 800 tons of coal to the relief of the distress; the few people who maintained a precarious independence were crushed by the weight of

[1] Prentice's *Hist. Corn Law League*, vol. i. pp. 370 *et seq.*

[2] For the riots see the papers of the day; cf. *Ann. Reg.*, 1842, Chron., pp. 133, 149, 157, 161, 163.

[3] *Sybil*, bk. vi. ch. v.

supporting their neighbours; and the rates rose to 18*s.* in the pound, and were equal to two-thirds of the rack rental of the town.[1] Sunderland, however, was only one of the towns which suffered from the distress. Throughout the length and breadth of the kingdom there was one universal wail of misery. It might have been said of Britain in 1842, as it had been said of Judah more than two thousand years before, 'She hath received of the Lord's hand double of all her sins;' and no Isaiah had yet arisen to speak comfortably to the nation, and cry unto her that her appointed time was accomplished, that her iniquity was pardoned.

Its effect on the revenue.

Poverty so widespread as that of 1842 necessarily affected the revenues of the State. After the changes which he had made in his Budget, Peel had expected a revenue of 21,560,000*l.* from the customs—he received only 20,754,185*l.*; he had expected 13,700,000*l.* from the excise, and he received only 12,500,627*l.* On these two great branches of the national income, which shrink and swell with the increasing or decreasing prosperity of the people, there had been a gross loss of 2,000,000*l.* It was difficult to exaggerate the significance of these figures. Yet, in a financial sense, additional importance attached to them from a curious error into which Peel had fallen. He had failed to foresee that one moiety of the income-tax would not be collected during the existing financial year. This error, however, was partly redeemed by the unexpectedly large yield of the new tax. Instead of producing 3,700,000*l.* it yielded more than 5,000,000*l.* Notwithstanding the universal distress, the taxable income of the country was nearly one half greater than the sum at which Peel, relying on the statistics of 1816, had ventured on placing it.[2]

[1] See Lord Howick's speech, *Hansard*, vol. lxvi. pp. 453–455.

[2] The figures will be found, in a convenient shape, in Sir S. North-

CHAP. XVIII. 1843.

Attack of the Tories on Peel.

This consideration, however, attracted little attention at the time. The circumstance on which politicians fastened was the serious deficit in the yield of the customs and excise. Extreme men on both sides of the House attributed this deficit to Peel. The Tories thought that the difficulties of the situation had been aggravated by the policy of the Minister. The Budget of 1842, they argued, had been framed to pacify the manufacturers, and the manufacturers were the pestilent class which had produced the present misfortunes. No markets, however free trade might be, could absorb the illimitable produce of machinery moved by steam. 'If we could establish a railway communication with Jupiter or Saturn, and found these planets filled with a population in want of all the necessaries of life, this country would be able to glut their markets in six weeks.'[1]

Nothing, it was evident, could reconcile the country gentlemen to the growth of manufactures, or to the partiality which a Conservative Minister was extending to trade. Their disappointment was almost natural. The Minister whom they had placed in power to maintain the Corn Laws had already amended them; and, as they feared, was contemplating a further amendment.[2] They had before their eyes 'the strange and lamentable spectacle of the vessel of State, navigated by the Conservatives and bearing the Conservative flag, steering a Whig course.'[3]

The Canada Corn Bill.

The fears which the country gentlemen entertained were partially justified by a new measure. In the year in which the new Corn Bill was passed, Stanley, as Colonial Secretary, persuaded the Canadians to place

cote's *Twenty Years of Financial Policy*—quoted hereafter as Northcote's *Financial Policy*—p. 376. Cf. *Hansard*, vol. lxviii. p. 1403, where they are given less accurately.

[1] *Hansard*, vol. lxvi. p. 592.

[2] See Lord Worsley's speech, *Hansard*, vol. lxvi. p. 595.

[3] Lord Stanhope, *ibid*, p. 263.

a small duty—three shillings a quarter—on American wheat, on the understanding that all flour imported from Canada should thenceforward be admitted into the markets of the United Kingdom as colonial flour, and at a reduced rate of duty of one shilling a quarter. He induced Parliament to give effect to this understanding in 1843 by passing what was known as the Canada Corn Bill. The advantages of the arrangement to the colonist were obvious; the change was, in fact, proposed in the interests of the colony, and defended by Stanley as a measure of colonial policy. Nor was it clear that the change would be disadvantageous to the agriculturist at home. Stanley himself probably imagined that America was so far off, that American agriculture was so backward, and that Atlantic freights were so high, that little flour would reach this country through Canada from the United States. But the country gentlemen refused the consolation that was offered to them in such arguments as these. They saw in the new bill a fresh attack on their own interests, and the attack came not from Peel, whom they were already prepared to regard as a traitor, but from Stanley, whom some of them had thought of placing in Peel's position. Stanley, indeed, by his new measure, had done more even than Peel to depress and discourage the great agricultural interest. One man, at any rate, true to his colours, and recollecting with satisfaction that he had preserved his own orchards, retired from the Cabinet. But Knatchbull's resignation only drew increased attention to Peel's conduct. Rallying at Wallingford, the Conservatives clamoured for the defeat of the Ministry which they had placed in office.[1]

[1] For the Colonial Bill of 1842, *Hansard*, vol. lxiv. p. 742. For the resolution on which the bill of 1843 was founded, *ibid.*, vol. lxix. p. 939. Cf. *ibid.*, pp. 577, 689. For the Wallingford meeting, *ibid.*, p. 346. The date and cause of Knatchbull's retirement are incorrectly given in *Ann. Reg.*, 1849, Chron., 242. The Duke of Buckingham had already retired in 1842—*Greville's Memoirs*, second part, vol. ii. p. 79. The Canada Corn

CHAP. XVIII. 1843.

Attack of the Liberals upon Peel.

The change in the Conservative policy under Peel, which was alienating the extreme Tories, had not satisfied the Liberal party. The Liberals complained that Peel had shrunk from enforcing his own conclusions. His declarations had been made to satisfy the free traders, his measures had been pared down to content the friends of monopoly and the advocates of protection.[1] Nothing but free trade could open a market for the manufactures of the country; and the Minister had made no real advance in this direction. He had taken 'the duty off caviare and cassava,' and had 'left corn and sugar oppressed.'[2] The new Corn Law had produced convulsions in the corn trade which had never previously been known. Could it be intended to adhere to a measure which had ruined the corn-jobbers, 'which had ruined the farmers, by producing an unprecedented fall in prices? These questions, urged night after night, at meetings of the Corn Law League, were formally repeated by Villiers at the opening of Parliament.[3] But

Bill became the 6 & 7 Vict. cap. 29. In 1844 Mr. Gladstone refused to extend the principles of this Act to Australia, on the double ground that Australia was not an exporting country, and that an extension of the Act would produce an agricultural panic. *Hansard*, vol. lxxiii. p. 1567.

[1] *Edin. Rev.*, vol. lxxvii. p. 223.

[2] Cobden, *Hansard*, vol. lxvi. p. 837.

[3] A few days before Parliament met, on the 21st of January, Mr. Drummond, Sir Robert Peel's private secretary, was shot in Charing Cross by Daniel M'Naughton. Drummond, who had begun life as a clerk at the Treasury, had been private secretary to Robinson, Canning, Wellington, and Peel. He lingered for a few days after he was wounded. M'Naughton was tried for the murder on the 3rd of March. It became tolerably clear during the trial that he had mistaken Drummond for Peel, and that he had intended to kill not the secretary, but the minister. His counsel, who rose afterwards to eminence as Sir A. Cockburn, successfully pleaded that his mind was unsound; and the jury acquitted the prisoner on that account. For the murder, *Ann. Reg.*, 1843, Chron., p. 6. For the trial, *ibid.*, p. 345, and Townsend, *Modern State Trials*, vol. i. p. 314. The questions which were raised by M'Naughton's acquittal, respecting the criminal responsibility of persons who were insane, were subsequently referred by the House of Lords to the Judges. *Hansard*, vol. lxvii. p. 714. A sort of epidemic of assassination passed over Western Europe in the middle of the present century. In France seven attempts were made on the life of Louis Philippe; and the King of the French drove about the streets of his capital in a bullet-proof carriage. Raikes's *Journal*, vol. iii. p. 134. In England, Oxford, Francis, and Bean fired, or pre-

Peel only answered that the new Corn Law had not yet had a fair trial, and that he had no present intention of altering it.'[1]

Peel declines to modify the Corn Law of 1842.

Peel probably could not have given a different answer. But his reply had only the effect of alarming his supporters without conciliating his opponents. Instead of defending the relics of protection to which they still clung; instead of denouncing 'the rapid growth of that monstrous giant which had risen up in the form of the Anti-Corn Law League,'[2] Peel used evasive language which did not pledge him to adhere to protection for his own lifetime, or even for the lifetime of the existing Parliament. The alarm which the country gentlemen felt was increased a few days afterwards. Lord Howick, expressing the general view of his own friends, drew attention to the distress of the country, and urged the extension of free trade as the only appropriate remedy. It fell to Mr. Gladstone's lot to reply to Lord Howick. Mr. Gladstone had always contended that the tariff of 1842 involved and established a prin-

tended to fire, at the Queen. Oxford fired at the Queen twice on Constitution Hill. *Ann. Reg.*, 1840, Chron., p. 245. He was proved to be insane (*ibid.*, p. 263), and confined in a lunatic asylum for the rest of his life. Two years afterwards, Francis, 'a little, swarthy, ill-looking rascal' (Martin's *Prince Consort*, vol. i. p. 139), fired at the Queen on the same spot. He was convicted of high treason and sentenced to death; the sentence was not carried into effect, but Francis was sent to a penal colony where the labour was the most severe. *Hansard*, vol. lxv. p. 80. Francis made his attempt on the 30th of May, 1842. On the 3rd of July, Bean, 'a hunchbacked wretch' (Martin's *Prince Consort*, vol. i. p. 141), presented a pistol, which missed fire, at the Queen's carriage. It was plain enough by this time that the epidemic was infectious, and that new measures were necessary to prevent its spread. Dastardly attempts like those of Francis, Oxford, and Bean would have been sufficiently detestable if the Sovereign had been a man; they were doubly atrocious when the Sovereign was a young girl, a young wife, and in expectation of becoming a mother. Peel proposed, and Parliament agreed, that future attacks should be punishable by transportation and whipping, and Lord Abinger, in passing sentence on Bean, hinted that in any future case the whipping would be inflicted—*Ann. Reg.*, 1842, Chron., p. 142. The debate on Peel's bill will be found in *Hansard*, vol. lxv. pp. 19, 80, 101, 166. Sir T. Martin says that Bean was tried 'under it.' Martin's *Prince Consort*, vol. i. p. 143. But this is a mistake. The law was not retrospective.

[1] *Hansard*, vol. lxvi. p. 178.

[2] Lord Beaumont, *ibid.*, p. 285.

CHAP. XVIII. 1843.

ciple of protection. He had tried to show that the sliding scale of his leader was a wiser measure than the fixed duty of his opponents. He was ready in 1843 with an epigram as an argument, and stigmatised the fixed duty as a tableland terminating in a precipice. But the warmth which he threw into his speech when he was criticising the Whigs died out when he passed on to the defence of his own measures. Corn, he argued, had been the subject of exceptional legislation for nearly 200 years. The special legislation could not be withdrawn without occasioning a violent shock, the effects of which would be chiefly felt by the wage-earning classes. This consideration, he contended, furnished a conclusive reason against dealing with the Corn Laws, and displacing, by doing so, a large amount of agricultural labour; but this consideration, he was careful to add, though conclusive, was only temporary. Such a speech naturally emphasised the impression which Peel's reply to Villiers had made. Peel had declared that he had no present intention of altering the Corn Laws; Mr. Gladstone had defended them on grounds which he had taken pains to show were only temporary. All his arguments, it was wittily said, were in favour of free trade; all his parentheses were in favour of protection. Alarmed at the prospects which were thus afforded to them, the country gentlemen again endeavoured to draw from Peel some explanation of his real meaning; they again received only scant consolation. 'I do not undertake to say I will abide by any law,' replied Peel; 'but I will say that I do not now contemplate any alteration in the law.'[1]

Yet, notwithstanding the fears of Tories and country gentlemen, Peel and Mr. Gladstone meant precisely

[1] For Lord Howick's motion, *Hansard*, vol. lxvi. p. 448. For Mr. Gladstone's reply, p. 479. It was in this debate that Graham admitted 'that the principles of free trade were by most men acknowledged to be the principles of common sense. *Ibid.*, p. 687.

The Budget of 1843.

what they said. They did not wish to trammel themselves with pledges which might prove inconvenient in an indefinite future; but they had no intention of altering the laws which they had made. The state of the revenue, indeed, justified a minister in declining to embark on further changes in the tariff. In 1842, when he had rearranged the tariff, Peel had personally introduced the Budget; in 1843, when he had nothing to propose, he allowed Goulburn, the titular finance minister, to bring it forward. The story which Goulburn had to tell was simple enough. Peel, the year before, had expected a revenue of 51,450,000*l.* to meet an expenditure of 50,819,000*l.* The expenditure had increased to 51,167,000; the revenue had shrunk to 48,745,000*l.* Instead of a surplus of 631,000*l.*, the year had closed with a deficit of 2,422,000*l.* Fortunately for the country two circumstances reduced the significance of this deficit. In the first place the deficit itself would have been avoided if the whole of the income-tax imposed in 1842 could have been collected before the 5th of April, 1843. In the next place peace in East and West made large reductions possible. The expenditure of the nation, which had amounted to 51,167,000*l.* in 1842–43, was placed at only 49,388,000*l.* in 1843–44. The revenue of the year which had just closed had amounted to 51,450,000*l.*; the revenue of the year which was just beginning was placed at 50,150,000*l.*[1]

[1] The figures were as follows:—

Revenue.		*Expenditure.*	
Customs	£19,000,000	Debt and Consolidated Fund	£31,535,000
Excise	13,000,000	Army	6,620,000
Stamps	7,000,000	Navy	6,383,000
Taxes	4,200,000	Ordnance	1,849,000
Post Office	600,000	Miscellaneous	3,000,000
Crown Lands	130,000		£49,387,000
Miscellaneous	250,000		
China Indemnity	870,000		
Income Tax	5,100,000		
	£50,150,000		or, with fractions, £49,388,000

Hansard, vol. lxviii. p. 1391. Cf. Northcote's *Financial Policy*, p. 737.

CHAP. XVIII. 1843.

A balance-sheet of this character made it almost certain that no new financial proposal would be made. The Government was compelled to watch the effects of its previous policy, and await a possible revival of trade. The good harvest of the previous year had not produced any immediate effect on the industrial classes. But at the commencement of 1843 signs of a happier state of things were already visible. The weather was, on the whole, fine; the price of wheat was unusually low.[1] The good harvest of 1842 was followed by a good harvest in 1843. The agricultural classes gathered hope; the manufacturing classes, blessed with cheaper food and more employment, ceased to despair. In March the textile industries of Lancashire and Cheshire showed signs of improvement; in April Manchester was obviously regaining its old position; in May 'the revival of business had extended to the woollen trade;' a month or two later still the hardware manufacturers of the midland counties were sharing the general improvement. Glorious summer weather in August and September stimulated the revival. It was everywhere felt that the lean kine had been succeeded by the fat kine; that the ebb was over and that the flood had begun.[2]

The revival of trade.

Its effect on the revenue.

These influences made a marked impression on the revenue. Goulburn had expected 50,150,000*l.*, he received 52,835,000*l.*[3] He had estimated the expenditure of the year at 49,388,000*l.*, and he only spent 48,669,000*l.* In round numbers, therefore, the country had received 2,700,000*l.* more, and expended 700,000*l.* less, than had been anticipated. Its position in 1844

[1] The price of wheat fell to 48*s.* 3*d.* in January, and to 46*s.* 2*d.* in April. The declared value of the exports increased from 47,284,988*l.*, the lowest point which it had touched since 1837, to 52,206,447*l.*

[2] Tooke's *History of Prices*, vol. iv. pp. 14, 50.

[3] The chief additions were in the Customs duties, which had yielded 21,426,000*l.*, instead of the 19,000,000*l.* expected of them. *Hansard*, vol. lxxiv. p. 363.

was better by 3,400,000*l.* than had appeared probable in April 1843. In the preceding year, however, Goulburn had set aside a surplus of 762,000*l.* Altogether, therefore, in the twelve months he had received 4,160,000*l.* in excess of his requirements. He was able to pay off the deficit of 1842–43, and still retain a substantial surplus of 1,400,000*l.*[1]

It happened, moreover, that a great financial operation increased this surplus. The value of the funds had been steadily rising since the accession of Peel to office. The price of Consols stood at an average of $89\frac{3}{8}$ in 1841; it rose to 92 in 1842; to $95\frac{1}{4}$ in 1843; and to $99\frac{3}{8}$ in 1844. It was obviously unnecessary for Government to give a larger sum than 3 per cent. as interest for the money which it required. It so happened, however, that nearly 250,000,000*l.* of the debt bore $3\frac{1}{2}$ per cent. interest. The greater part of this sum consisted of the old 5 per cent. stock, which had been converted into a 4 per cent. stock by Vansittart in 1822, and had been reconverted into a $3\frac{1}{2}$ per cent. stock by Goulburn in 1830.[2] But in addition to the stock of 157,000,000*l.*, there was a further sum of 67,500,000*l.* of reduced $3\frac{1}{2}$ per cent. annuities, the remnant of the old 4 per cents. which had been dealt with by Robinson in 1824,[3] and some smaller sums of 14,600,000*l.* and 10,000,000*l.*, respectively created in Ireland in 1787 and in England in 1818. Goulburn proposed to convert these stocks into a new stock bearing $3\frac{1}{4}$ per cent. interest for ten years, and 3 per cent. interest afterwards. The holders were, of course, offered the alternative of repayment at par. The new $3\frac{1}{4}$ per cent. stock was, however, worth rather more

Conversion of stock.

[1] The original deficit of 1842–43 was 2,422,000*l.*, *ante*, p. 145; but this deficit was increased by subsequent charges to 2,749,000*l.* *Hansard*, vol. lxxiv. p. 365.

[2] *Ante*, vol. ii. pp. 45, 544.

[3] *Ibid.*, p. 95.

CHAP. XVIII. 1844.

than 100*l.*, and nearly every holder, therefore, preferred the 100*l.* in stock to the 100*l.* in money. The success of the operation effected an immediate saving of 625,000*l.*, and an ultimate saving of 1,250,000*l.* a year.[1] It was the largest of the schemes which had, as yet, been offered for the reduction of the debt, and it avoided the mistake, which Vansittart had committed in 1822, of increasing the capital while reducing the interest.

A subsidiary change increased this gain at the moment. The interest on the $3\frac{1}{2}$ per cent. stock had been paid in July and January; the interest of the new $3\frac{1}{4}$ per cents. was made payable in October and April. This alteration in the dates of payment postponed till 1845–46 one moiety of the interest on the new stock. It was clear, however, that this postponement of a charge, while it temporarily increased the existing surplus, did not affect the financial situation. Goulburn, with much prudence, applied the money which he got by an exceptional process to equally abnormal purposes. He reserved a sum of 400,000*l.* for any claims which India might make for the operations of the Chinese War. He threw on the Exchequer the burden of paying off the few dissentients who declined to take the new stock, and whose claims amounted to about 250,000*l.*; and he applied a further sum of 239,000*l.* to the extinction of an annuity payable to the South Sea Company. These decisions necessarily affected his estimates for the expenditure of the ensuing year. The normal expenditure of the year was placed at 47,804,000*l.*; the exceptional expenditure at 889,000*l.*; and the gross expenditure at 48,693,000*l.* The revenue, which had amounted in the preceding year to 52,835,000*l.*, was placed with equal prudence at

The Budget of 1844.

[1] For the scheme, *Hansard*, vol. lxxiii. p. 729; Northcote's *Financial Policy*, p. 53.

51,790,000*l.*[1] The surplus at the Chancellor of the Exchequer's disposal thus amounted to about 3,100,000*l.*

A large surplus of this description had been confidently anticipated in the public papers; and many members of Parliament, as well as many other authorities, in consequence expected that Goulburn would be in a position to propose financial changes of importance. One consideration, however, which influenced the Government had escaped their notice. The income-tax was expected to produce more than 5,000,000*l.*; and it had only been granted for a period of three years. If the tax were allowed to lapse at the appointed time, the surplus would be converted into a deficit, and all the difficulties which Peel had overcome would be renewed. With this possibility before it, the Government, instead of largely reducing taxation, determined on strengthening the Exchequer balances, and on making only insignificant changes in the rates of taxation. The duty on some kinds of glass, on currants, on coffee, and the stamp on marine insurances were reduced; the duties on vinegar and on wool were repealed.[2] The termination of a treaty, which had placed

[1] The estimates were as follows:—

Revenue.	
Customs	£21,500,000
Excise	13,000,000
Stamps	7,000,000
Taxes	4,200,000
Income Tax	5,100,000
Post Office	600,000
Crown Lands	130,000
Miscellaneous	250,000
	£51,780,000
Cited by Goulburn as	£51,790,000

Expenditure.	
Debt	£27,697,000
Consolidated Fund	2,400,000
Army	6,616,868
Navy	6,250,128
Ordnance	1,840,064
Miscellaneous	3,000,000
East India Co.	400,000
Dissentients 3½ per cent.	250,000
South Sea Fund	239,000
	£48,693,060

The revenue is erroneously given in *Hansard* as 51,790,000*l.*, the expenditure as 48,643,000*l.* These erroneous totals have been copied by Sir S. Northcote, *Financial Policy*, p. 378, and his totals do not in consequence correspond with the sums of which they are composed. Cf. *Hansard*, vol. lxxiv. p. 371.

[2] Wool had been the subject of taxation from 1802. It gave rise to a good story which is worth preserving. Canning once amused himself on a wet day in a country-house by substituting the letter F for the letter W in Lord Sheffield's treatise on Wools. The leading sentence after it was altered ran as follows: 'We

CHAP. XVIII. 1844.

Brazil on the footing of the most favoured nation, enabled the Ministry at the same time to reduce the duty on sugar the produce of free labour. These unambitious alterations absorbed some 400,000*l.* of the surplus. The residue of it was retained to strengthen the balances, and to pave the way for more drastic measures in 1845.[1]

An unambitious Budget of this character could not be expected to create enthusiasm. The House, which had been meditating on direct taxation and free trade, laughed when Goulburn became eloquent on vinegar; and the only important debates which the Budget provoked had reference to the proposed alteration in the sugar duties. It is said that the first Pitt, on commencing one of his speeches with 'Sugar, Mr. Speaker,' was received with laughter, till turning on those who laughed, he added in a voice of thunder, 'I say *Sugar!* Mr. Speaker, *Sugar!* Who dares to laugh at sugar now?' No one was disposed to laugh at sugar in the later years of the Melbourne and in the earlier years of the Peel Ministry. Sugar had been the proximate cause of the fall of Melbourne; and sugar was still the battle-ground of Whigs and Conservatives. The Whigs were unanimous in desiring to reduce the protection which discriminating duties afforded to the British colonies. The Conservatives were almost as unanimous in resisting a change which would force the British colonist, dependent on free labour, into competition

Sugar.

have no doubt that, with due protection, the production of British *Fools* may be rendered sufficient for our national wants, so as to render the importation of Foreign *Fools* wholly unnecessary.' Charles Wood had proposed the reduction of these duties in the preceding July. *Hansard*, vol. lxx. p. 1224.

[1] The changes cost—

Glass	£35,000
Vinegar	12,000
Currants	£90,000
Coffee	50,000
Marine Insurance	100,000
Wool	100,000
	£387,000
Or, in round numbers	£390,000

The duty on sugar, the produce of free labour, was reduced to 34*s.*, or to 10*s.* more than the duty on colonial sugar. *Ibid.*, vol. lxxiv. p. 384.

with slave-grown sugar. Neither Conservatives nor Whigs ventured on propounding a policy of free trade. The Whigs merely insisted that all foreign sugar should be admitted at the same rates, while the Conservatives desired to keep a prohibitive duty upon foreign slave-grown sugar. Russell himself endeavoured to enforce the views of his friends, and was beaten by a decisive majority.[1] But his motion was immediately afterwards followed by one much more formidable to the Ministry. Many Conservatives complained that, while Goulburn was doing something to help the foreign cultivator, he was doing nothing to help the colonial trader. Miles, the member for Bristol, accordingly desired to reduce the duty on colonial sugar from 24*s*. to 20*s*.; and in order to gain the support of the Whigs he concurrently offered to reduce the rate on foreign free-grown sugar from 34*s*. to 30*s*. To ordinary persons there was not much difference between his proposal and that of the Government. Goulburn was proposing three rates of 24*s*., 34*s*., and 63*s*.; and Miles was substituting three others of 20*s*., 30*s*., and 63*s*. The Whigs, however, supported Miles, and the Government was beaten. Confident in his own policy, Peel had not yet learned to tolerate defeat, and he insisted on the House reversing its vote. The submissive assembly which on the 14th of June had beaten the Ministry by 241 votes to 221, resolved on the 17th of June to retrace its steps by 255 votes to 233.[2]

[1] By 197 votes to 128. *Hansard*, vol. lxxv. p. 219.

[2] *Ibid.*, pp. 968, 1082. Peel's menace of important consequences which might result from the ultimate decision is in *ibid.*, p. 1012; but the Conservatives held a meeting at which they assured the Prime Minister of their general and united support, and Peel was thus enabled to secure the vote and go on. Martin's *Lyndhurst*, p. 106. It ought, perhaps, to be added that, in the previous year, Ewart had endeavoured to secure uniform duties on foreign and colonial sugar, and was beaten by 135 votes to 50, and that Hawes had endeavoured to reduce the duty on foreign sugar to 34*s*., and had been beaten by 203 votes to 123. *Ibid.*, vol. lxx. pp. 249, 268. Ewart originated the policy of imposing low duties on foreign sugar. See *ibid.*, vol. xxi. p. 947. Anyone

CHAP. XVIII. 1844.

This remarkable division lent some significance to the financial policy of 1844. The year was, otherwise, memorable for no great fiscal changes. During the course of it, however, an opportunity occurred for revising the arrangements which subsisted between the nation and the Bank of England. Advantage was taken of the occasion to revise the Bank charter.

The Bank Charter Act.

A bank is an institution which undertakes to receive the money of its customers, and to keep it till they require its repayment. In the interval it devotes it to profitable uses. Some banks allow their customers an advantage in these speculations, giving them some small interest on the money deposited with them. Others allow them no interest. But, whatever may be their practice in this respect, all banks derive their profit from employing the money deposited with them, and are, in consequence, known as banks of deposit. In addition, however, to this, the primary function of a banker, some banks issue promissory notes representing certain definite sums of money, payable on demand. These notes are accepted, where the credit of the bank is good, as readily, or more readily than money itself. For many purposes it is easier and safer to carry a piece of paper than the gold or silver which the paper represents. A considerable demand, in consequence, exists for notes of this character. Some profit attaches to issuing them. The banks which issue such notes are technically known as banks of issue.

The temptation which such a state of things produces constitutes a serious danger. If an individual can persuade the public to regard the paper on which he prints his name as equivalent to large sums of gold and silver, there will be always individuals ready to

who wishes to follow the subsequent history of the moment should refer, *inter alia*, to *Hansard*, vol. xxxiv. p. 724; vol. xxxviii. p. 1609; vol. lv. p. 76, and *post*, ch. xx.

issue paper money. Such issues, extravagantly or recklessly made, must necessarily, sooner or later, create confusion and difficulty. Most civilised communities have consequently found it necessary to place bankers under considerable restrictions. In this country these restrictions have been the frequent occasion of violent dispute, the fertile cause of commercial legislation.

From 1694, when the Bank of England was originally constituted, legislation affecting banks has been continuously in force in this country; and in 1708, when the Bank's charter was renewed for twenty-five years, it was enacted that no association having more than six partners should carry on the business of banking in England. This restriction was extended to Ireland in 1783, when the Bank of Ireland was first constituted. But the law of 1708 never applied to Scotland. In Scotland, therefore, from the first inception of banking, any number of individuals were at liberty to open a bank. In England and Ireland no more than six persons were able to do so. The law remained unaltered till the reign of George IV. In 1821, however, joint-stock companies were theoretically allowed to be established in Ireland for banking purposes at a distance of more than fifty Irish miles from Dublin; and in 1825 the Liverpool Ministry, alarmed at the failures of private banks, authorised the creation of joint-stock banks in England at a distance of more than sixty-five miles from London.[1]

Banking in Great Britain.

The banks which were thus formed exercised from a very early period of their existence the privilege of issuing notes payable on demand, or, as they would now be called, bank notes. In Scotland, as early as 1704, the Bank of Scotland commenced issuing 1*l.* notes; in

[1] Liverpool, Huskisson, and Baring wished the new banks to be formed on what would now be called Limited Liability. But this course was made impossible by the opposition of the Bank of England. *Hansard*, vol. cv. p. 141.

CHAP. XVIII. 1844.

England, the Bank of England up to 1759, when 10*l.* notes were issued, issued no notes of a smaller value than 20*l.* But, from their first institution till 1775, the private English banks were in the habit of issuing notes of low value. In 1775 Parliament forbade the issue of any notes of less value than 1*l.*; in 1777 it raised the minimum to 5*l.* When, however, the pressure of the war forced the Legislature to suspend cash payments, notes of a smaller value than 5*l.* became necessary for the ordinary purposes of every-day life; the Act of 1777 was accordingly repealed, and the issue of 1*l.* and 2*l.* notes again became legal. The change which was thus made continued in force till 1826. Parliament, in that year, while sanctioning the formation of joint-stock banks, renewed the prohibition of notes below 5*l.* It was, in the first instance, intended that the prohibition should apply to the entire kingdom. The zeal of Sir Walter Scott was instrumental in preventing its extension to Scotland, and the Scotch banks retained the privilege, first exercised in Scotland in 1704, of issuing 1*l.* notes.

Banking legislation, therefore, in Great Britain had from 1704 downwards proceeded on distinct principles. In England, from 1704 to 1826, companies of individuals had been precluded from forming joint-stock banks. In Scotland, on the contrary, such companies had always been legal. In England the privilege of issuing notes had been the constant subject of legislative restrictions; in Scotland no such restrictions had been enforced.

The formation of joint-stock banks.

The Act of 1826 led to a diminution of private banks and the formation of joint-stock banks in England. The former diminished from 554 in 1825–26 to 411 in 1834–35. The latter gradually increased in numbers, till 55 were registered in 1834–35. In the latter year a fresh impulse was given to joint-stock banking. The Grey Administration availed itself of the opportunity,

which the expiration of the charter of the Bank of England afforded, to revise the banking system, and to repeal the provision in the Act of 1826 which had prevented any joint-stock bank approaching within sixty-five miles of the metropolis.[1] A new impulse was thus given to the formation of joint-stock banks. While only 55 of these banks had been registered up to 1834–35, 100 were registered in 1835–36 and 118 in 1841–42. These figures, moreover, only imperfectly illustrated the extent of the change. Most of the new banks had many branches, and one bank, therefore, frequently, or even usually, represented a large number of local banks.

So startling an alteration naturally excited much attention. In a short period of fifteen years, the whole banking system of the community had been altered. An inconvertible currency had been superseded by notes convertible into money, the monopoly of private bankers had been destroyed, and joint-stock banks had been everywhere instituted. Speculators formed new companies, prudent persons trembled at the possible consequences of unlimited speculation, and economists doubted whether directors, ignorant of the elements of banking,

[1] Althorp, in 1832, moved for a Committee of Secrecy to report on the expediency of renewing the Bank charter. *Hansard*, vol. xii. p. 1356. The Committee was unable to agree upon a report, *Spencer*, p. 468. But, on the 31st of May, 1833, Althorp himself explained the terms on which he proposed that the charter should be renewed. He paid off one-fourth part of the debt due from the Government to the Bank, reducing the amount of the whole to about 11,000,000*l.*; he renewed the charter till 1855, with a proviso that it might be terminated on or after the 1st of August, 1845, after twelve months' notice; and he made the notes of the Bank legal tender everywhere except at the Bank itself. The effect of this provision, which was opposed by Peel, was to enable country bankers to cash their notes in bank paper and not in coin. At the same time he repealed the restriction which had previously prevented the formation of joint-stock banks within sixty-five miles of London, though it was provided that banks within that distance of the metropolis should not be banks of issue; he subjected every bank to a payment of 7*s.* (in lieu of the stamp duties previously payable) on every 100*l.* of notes issued; and he provided for the periodical publication of the accounts of the Bank of England and of all banks of issue. For the Act see 3 & 4 Will. IV. c. 98. The chief debates on it are in *Hansard*, vol. xviii. p. 169; vol. xix. pp. 82–109; vol. xx. pp. 452, 764, 839.

CHAP. XVIII. 1844.

were likely to conduct the business on approved principles. These fears led in 1836 to a motion for a committee to inquire into the joint-stock banks. The Committee reported that the law imposed no adequate restrictions on the formation of banks, that it laid down no definite regulations for their capital, their paid-up capital, their shares, or their accounts; and it expressed a strong opinion that the stability of these institutions deserved the serious consideration of Parliament.[1] The same conclusion had been forced on the public by the financial disasters which occurred at the time. The feverish speculation of 1836, to which reference has already been made, necessarily produced some pressure on the money market. At this precise moment the financial policy of the United States created a considerable demand for gold, which, in consequence, flowed steadily from England to America.[2] The bullion in the Bank, which had amounted to nearly 10,000,000*l.* in January 1834, declined to about 4,000,000*l.* in January 1837.[3] The Bank, with this pressure upon it, took no adequate steps to restrict its circulation, and the private and provincial banks slightly increased their issues. The Bank of England had only 4*l.* of bullion in its coffers at the last of these dates for every 10*l.* at the former, and the paper money in circulation, nominally convertible into gold, had actually increased in the interval from 28,368,000*l.* to 29,433,000*l.*[4] Such

The Committee of 1836.

[1] The substance of the Report was reprinted in the earlier edition of McCulloch's *Commercial Dict., ad verb.* 'Banks (English and Provincial).'

[2] The circumstances under which the American demand for gold arose are clearly explained in Tooke's *History of Prices*, vol. ii. p. 285.

[3] *Ibid.*, p. 386.

[4] Mr. Courtney, in his article on 'Banking' in the *Encyclopædia Britannica*, has laid the chief blame on the joint-stock banks, which largely increased their issues between December 1835 and December 1836. But he seems to have laid no sufficient stress on the facts (1) that the issues of the joint-stock banks represented only a small proportion of the provincial issues; (2) that during the period of extreme pressure the country banks contracted their issues, while the Bank of England increased its issues. See Tooke's *History of Prices*, vol. ii. pp. 311-17. The increased issues of the joint-stock banks were partly due to the circumstance that many private

The crisis of 1836.

a state of things was full of peril. The failure of a great bank in the autumn of 1836 brought the danger home to every observer. The speculation was at once checked. Industry generally staggered under the shock; commerce suffered from the fall of prices which panic had produced; the labouring classes found themselves without employment. The agitation which consequently arose has already been related in this volume, and the Chartist riots of 1842 and the prosperity of the Corn Law League may thus, with some approximation to truth, be ascribed to the crisis of 1836.

There was one prominent politician to whom such a crisis appealed with a voice of thunder. Peel was the leader of the Conservative party, and he was the author of the Act of 1819. He had succeeded in 1819 in substituting a convertible for an inconvertible currency, and he saw with consternation that the policy of the Bank of England and the provincial banks had brought a second suspension of cash payments within appreciable distance. When the Bank had only 4,000,000*l.* of bullion in its coffers, and 29,000,000*l.* of notes were circulating in the country, it was impossible to contend that the paper currency was, in any true sense of the term, based on gold. This general conclusion must have been pressed home to him by the ruin which burst on the United States in 1837. Something like free banking had been established in America, and in seven years the currency of the United States increased from $66,000,000 to $149,000,000. In 1837 every bank in the Union stopped payment; 180 banks were totally destroyed; and society in the States was temporarily prostrated by the calamity.[1]

banks were turned into joint-stock banks in the beginning of 1836. It seems, however, certain that in 1825 and 1839 the provincial issues increased concurrently with a considerable decrease in the bullion in the Bank. See Peel's speech, *Hansard*, vol. lxxiv. p. 1341.

[1] Mr. Courtney is responsible for these figures. *Encyclo. Brit.*, vol. iii. p. 339. But many of his statements—indeed, the greater part of his

CHAP. XVIII. 1844.

The attitude of Peel.

In two capacities, therefore, Peel had reasons for desiring a fresh reform. As the leader of a great political party, he distrusted a commercial system which had been directly responsible for distress and indirectly productive of disturbance. As the author of the Act of 1819, he disliked a policy which enabled paper money to circulate in increasing quantities while the supply of gold in the country was diminishing. The terms of the Act of 1833 afforded him an opportunity for revising the Bank charter, and he seized the occasion to supplement the labours which he had accomplished a quarter of a century before, by reforming the currency of the kingdom. In the first instance, he had the prudence to confine his measure to England and Wales. For that portion of the kingdom he desired to institute one great bank of issue. The issue business and banking business of the Bank of England had been hitherto conducted in the same department, and the issues had been regulated on what were technically known as banking principles. Peel decided on separating the banking from the issue department, and on regulating the issues by what were commonly called currency principles. The issues were to be determined, not by the demand for paper money, but by the amount of bullion in the coffers of the Bank. The Bank was to be at liberty to issue 14,000,000*l.* of notes on the security of the debt due to it from the Government and of Exchequer bills. But all issues above this amount were to be based on bullion, three-fourths of which were to consist of gold.

His bill of 1844.

It was Peel's wish to go still further, and to prohibit the issues of country bankers. But he did not venture

article—are founded on, or enlarged from, McCulloch's article in his *Commercial Dict.*, which was republished in the earlier editions of the *Encyclopædia* under the title 'Money.' Wood said the increased American circulation in seven years was from 61,000,000 to 186,000,000 dollars. *Hansard*, vol. lxxiv. p. 1354.

on carrying out this policy in 1844. He contented himself with prohibiting new banks from issuing notes, with limiting the issues of old banks to their existing amount, and with insisting on the publication of weekly accounts by the banks of issue. This arrangement, he thought, would tend gradually to reduce the country issues.[1] But its effect proved much slower than its author probably anticipated. A generation after Peel's scheme had been approved by the Legislature, only a little more than 2,000,000*l.* out of the 8,500,000*l.* of country issues had been withdrawn from circulation.[2]

The Act of 1844 prohibited the formation of any new bank of issue in any part of the United Kingdom; in every other respect it applied to England and Wales alone. Peel forbore, in 1844, from attempting to deal with Scotch and Irish banking. He undertook to do so, however, in the following year; and in April 1845 he rose to redeem his pledge. Banking was conducted on opposite principles in Scotland and Ireland; but the Scotch and Irish were equally agreed in resenting any interference with their domestic arrangements.

His bill of 1845.

In Ireland as in England a great bank existed founded on a charter, and enjoying a monopoly in Dublin and its neighbourhood. Like many other Irish institu-

The Bank of Ireland

[1] When a country bank ceased to issue notes either from its own failure or by arrangement with the Bank of England, the latter was to be at liberty to increase its own issues on securities by two thirds of the amount which the bank ceasing to issue had been entitled to place in circulation. The scheme, therefore, provided a slight ultimate increase in the issues which the Bank of England was entitled to make on securities, and a rather greater ultimate decrease in the issues of the country banks. It made no alteration in the circulation, since the private banks were forced to retain a reserve of Bank of England notes to the amount of one third of their own issues. *Hansard*, vol. lxxiv. pp. 1330 *et seq.*

[2] For Peel's scheme, *Hansard*, vol. lxxiv. pp. 720, 1330, and cf. the *Tracts* which Lord Overstone had previously published. The scheme is explained in *McCulloch, ad verb.* 'Bank of England,' and, more elaborately, by Mr. Courtney in *Encyclo. Brit.*, 9th ed., *ad verb.* 'Banking.' It is violently attacked by Mr. Tooke, *History of Prices*, 1839 to 1847, pp. 144–402, and the arguments are repeated by the same author in his less well-known work on the Bank Charter Act, 1844. The whole thing is elaborately summed up by Mill in *Principles of Political Economy*, book iii. ch. xxiv.

CHAP. XVIII. 1845.

tions it was founded on Orange principles, and the Roman Catholic who happened to be a director was required to take a particular oath which was not necessary in the case of his Protestant colleagues. The average issues of the Bank of Ireland amounted to 3,706,000*l.*; the average issues of other joint-stock banks to 2,565,000*l.* Peel took these figures as the basis of his measure, sanctioned the continuance of a circulation to this amount, and provided that any further issues should be made on the security of bullion. He incidentally repealed the monopolies which the Bank of Ireland enjoyed, and the distinctive oath required of the Roman Catholic director. He, at the same time, confirmed a debt of 2,630,000*l.* due from the Government to the Bank, made it a security for that part of the issues of the Bank which were unsecured by specie, and committed the public to the payment of $3\frac{1}{2}$ per cent. interest on the loan, on condition that the Bank performed the business of the public gratuitously.[1]

Banking in Scotland.

No bank in Scotland could be compared with the Bank of England or the Bank of Ireland. Nineteen joint-stock banks of high repute circulated their notes throughout the country, and the amount of their issues, which varied largely in different periods of the year, amounted on an average to 3,041,000*l.* Peel again accepted this sum as the maximum issue of the Scotch banks. Any further issues he required should be based on specie. In all three countries, therefore, existing privileges of issues were respected, but all further issues were required to be based on bullion.

Peel's scheme was received with very general satis-

[1] *Hansard*, vol. lxxix. p. 1321. It ought, perhaps, to be added that Spring Rice had endeavoured to deal with Irish banking in 1839. He had proposed to continue the charter of the Bank of Ireland, repealing the monopoly of banking which it enjoyed in the neighbourhood of Dublin, but preserving its monopoly of issue. For the scheme, *Hansard*, vol. xlix. pp. 773–910. O'Connell fought the scheme determinedly and successfully; see for instance, *ibid.*, vol. l. p. 285.

faction. The Scotch especially, who had feared that the minister might endeavour to upset the whole banking arrangements of Scotland, were agreeably surprised at finding that things were left very much as they were. The Irish usually approved the destruction of the monopoly of the Bank of Ireland. The House, engaged on more exciting topics, only languidly discussed a commercial measure of the first importance, and the bills which Peel introduced to carry out his proposals became law without material amendment.

In two sessions, for good or for evil, Peel had placed the whole banking system of the kingdom on a new basis. But the commercial legislation which he thus carried in 1844 and 1845 attracted less attention than the brilliant Budgets which characterised his ministry. In 1842 he had imposed an income-tax, reformed a tariff, and terminated a disastrous deficit. Yet the Budget of 1842 was surpassed by the memorable financial policy which he pursued in 1845.

The Budget of 1845.

On the 14th of February, almost at the very commencement of the session, Peel himself brought forward the Budget. One disadvantage inevitably arises from introducing the financial scheme of one year before the close of the old one. The estimates on which the new scheme is framed are necessarily imperfect. Peel, for instance, instead of furnishing the House with the full figures for 1844–45, was forced to rest his statement on the returns for the twelve months concluded on the 5th of the previous January. In those twelve months, the revenue had reached 54,003,000*l.*, the expenditure had only amounted to 50,646,000*l.* The revenue had exceeded the expenditure by 3,357,000*l.*, and Peel confidently believed that this surplus would be increased to 5,000,000*l.* by the close of the financial year.

CHAP. XVIII. 1845.

Cautious, wise, and resolute finance had entirely reformed the financial situation. The constant deficits into which Spring Rice had drifted, and which Baring had been unable to deal with, had been effectually terminated, and the country had the satisfaction of knowing that its regular income exceeded its normal expenditure. But this reflection depended on one consideration. The deficiency had been terminated by the imposition of an income-tax, and the loss of the income-tax, which expired in 1845, might possibly produce a fresh deficit. On the assumption that no additions were made to the estimates, the regular expenditure of 1845–46 could not be placed at less than 48,557,000*l.* The regular income, without the income-tax, could not be reckoned at more than 47,900,000*l.* It was true that, if the income-tax were allowed to expire, the Treasury would receive one half-year's arrears of the tax, 2,600,000*l.*, in the ensuing financial year; and that in the same period an indemnity of 600,000*l.* was due from the Chinese. But these windfalls could not, of course, be expected to recur; and the Treasury, therefore, unless the revenue increased or the expenditure were contracted, would be confronted with a fresh deficiency. Retrenchment in the expenditure was, indeed, almost impossible. Economy had reached its limits; the country was alarmed at the rapidity with which its nearest neighbour was adding to her fleet, and demanding increased outlay on its own; and the minister decided on increasing the expenditure from 48,557,000*l.* to 49,690,000*l.* This decision made it at once apparent that the whole of the income duty could not be spared. The revenue of the country, including the Chinese indemnity and the income-tax, could only be placed at 53,700,000*l.* The

loss of the income-tax would inevitably lead to fresh deficits.[1]

Peel, indeed, though he fortified himself with these figures, did not personally require the argument with which they supplied him to justify his decision. A three years' experience had convinced him of the benefits which had been derived from the changes in the tariff, and he was naturally desirous to carry the policy of 1842 further. In that year the alterations made in the tariff had been based on protectionist principles, and had been purposely designed to relieve the consumer only so far as relief could be given without injury to the producer. The tariff still enumerated 813 separate articles on which import duties were charged. More than half of these produced little or no revenue to the State; many of them were commodities the very existence of which were only known to persons possessed of antiquarian or technical knowledge. At one stroke, Peel decided on purging the tariff of 430 items. So insignificant was their produce that the abolition of the whole of them only involved a loss of 320,000*l*. By another stroke, which cost the country 118,000*l*., he took off all the duties on British exports. The only one of them to which much significance was attached was the duty on coal. The gloomy forebodings of a great geologist that the coal-

The tariff purged.

[1] The revenue and expenditure were placed by Peel as follows:—

Revenue.		*Expenditure.*	
Customs	£22,000,000	Army	£6,678,000
Excise	13,500,000	Navy	6,936,000
Stamps	7,100,000	Ordnance	2,142,000
Assessed taxes	4,200,000	Miscellaneous	3,200,000
Post Office	700,000	Total Supply Services	£18,895,000
Crown Lands and Miscellaneous	400,000	Debt	28,395,000
	£47,900,000	Consolidated Fund	2,400,000
China indemnity	600,000		£49,690,000
Income-tax	5,200,000		
	£53,700,000		

The first of these sums does not correspond with the details, but the figures were thus given by Peel. *Hansard*, vol. lxxvii. pp. 470–472.

CHAP. XVIII. 1845.

fields were approaching exhaustion had induced Peel to place a duty on the export of coal in 1842. The obvious injury which the duty occasioned, and the remonstrances of colliery proprietors in the North,[1] induced him to remove it in 1845. By two strokes of his pen, at a sacrifice of less than half a million a year, Peel had done more to free trade from the shackles with which his predecessors had bound it than all the financiers who had held office from Pitt to Baring.

These two sweeping changes, effected at a comparatively slight cost, formed the most important features of the great Budget of 1845. But, in addition to these, Peel decided on remitting the auction duties, the tax on glass and on cotton-wool, and on further reducing the duties on foreign and colonial sugar. The

Glass.

tax on glass was one of the most injurious of the excise duties. Its amount depended on the kind of glass which was made. Its existence consequenly necessitated the constant supervision of the manufacturer; and the rules which were adopted to prevent fraud had the inevitable effect of checking enterprise. The British manufacturer found that the expenses to which he was subjected dwarfed his home trade and prevented his competing with the foreign glass-blower. Contracted trade was not the worst evil which arose from dear glass. The poor boarded up the windows in their wretched houses, excluding sun and air. In vain had the Legislature exempted these dwellings from the window-tax; the poor could not afford the luxury of windows made of taxed glass.

Health, too, was not the only object to be promoted by cheapening the commodity. If the manufacturer were once freed from the restrictions and expense with which the duty fettered him, glass might be applied to

[1] See the debate on Lord H. Vane's motion for the removal of the duty in 1844. *Hansard*, vol. lxxv. pp. 227–72.

many new uses. Water-pipes in France were being made of glass; Peel himself showed the House of Commons the balance-spring of a watch made of glass. What limits was it possible to place on the use of an article which was tough enough to be employed as a water-pipe, and delicate enough to be made into a watch-spring? The prospect in which Peel thus indulged has not indeed been fulfilled: water-pipes are still made of iron or earthenware, watch-springs of steel. But, though in these respects his anticipations have not come true, glass has been turned to uses which even he did not contemplate. Anyone who compares the old glass bottle in common use forty years ago with the modern bottle in which the manufacturer reproduces the designs of antiquity in a material surpassing in its exceeding delicacy anything that the ancients possessed, or who recollects that six years after the Budget of 1845 a palace made of glass was erected in Hyde Park to receive the richest treasures which a world could expose to view, will perhaps conclude that the reality surpassed the dream, that the fulfilment was more marvellous than the prophecy.

Auction duty.

The excise on glass interfered with its manufacture; the auction duty led to fraud. It was estimated that property worth 45,000,000*l.* was annually sold by auction, but that property worth only 8,000,000*l.* paid the duty. The ingenuity of those who sold and those who bought was occupied in devising means to evade the tax. The commonest expedient for evading it was to put up the property, not for sale, but to test its value. When its value was ascertained the property was bought in, and the day after sold to the highest bidder by private contract. Dishonesty, or something akin to it, was thus promoted by law. Peel swept away the duty, increasing to a slight extent the licence payable by auctioneers.

CHAP. XVIII. 1845.

Cotton-wool and Sugar.

Two other alterations were made by Peel. He remitted the duty on cotton-wool; he reduced the duties on colonial sugar. The victory which Miles had won over Goulburn in the previous year had probably convinced him that it was unsafe to leave the sugar duties alone. Peel accordingly proposed to reduce the duty on colonial sugar from 24*s.* to 14*s.*, and on foreign sugar the produce of free labour from 34*s.* to 23*s.* 4*d.* The reduction, he estimated, would deprive the revenue of 1,300,000*l.* a year.[1]

Debates on the Budget.

The great Budget naturally led to sharp debates.[2] The minister, in a military phrase, was attacked all along the line. Russell, with the keen instinct of the first Parliamentary tactician of his day, assailed the weakest part of his opponent's position, and denounced the sugar duties; Roebuck, and one or two other Radicals, resisted the continuance of the income-tax, or criticised its inequalities. The Tories, on the contrary, annoyed at the neglect of their own interests, tried to preserve the auction duties and the customs duties, which constituted a protection to agriculture. Criticisms of this kind were not formidable to the minister. His assailants disliked his Budget; but they disliked one another still more. The protectionists declined to support Russell; and Russell, of course, declined to support the protectionists. Peel was certain of defeating his opponents by rallying his own

[1] The 24*s.* and 34*s.* duty in 1844 had, moreover, been subject to the general addition of 5 per cent. made by Baring in 1840; the duties in the text are those on brown sugar, the duties on white sugar were simultaneously varied. *Hansard*, vol. lxxvii. p. 477.

[2] The financial aspect of the Budget may be placed as follows:—

Sugar	£1,300,000
Glass	640,000
Cotton-wool	680,000
Repeal of import duties	320,000
„ export duties	118,000
Auction duty	300,000
	£3,358,000
Deduct increased duty on auctioneers	50,000
	£3,308,000

The result is incorrectly given in *Hansard* as 3,338,000*l.*, vol. lxxvii. p. 494. Sir S. Northcote has copied the error in Peel's figures in his text, *Financial Policy*, p. 64, but corrected it in his Appendix, p. 379.

friends, and of subsequently defeating his friends by the aid of his opponents.[1] In every part of the battle-field he won an easy victory. Yet, as the contest progressed, evidence was continually forthcoming of an increasing coldness between the minister and his supporters. The country gentlemen, who had placed Peel in power, complained that he had changed his opinions, abandoned their interests, and 'truckled' to the Radicals.[2] What could be said for a Tory minister who was actually proposing to remove import duties on grease and on lard? How could English or Irish farmers pay their rents if foreign butter were admitted duty-free under the guise of grease? or if American swine were suffered to compete with Irish pigs? The subordinate officials of the Ministry endeavoured to allay the apprehensions of country gentlemen by explaining that, in the language of the custom-house, grease meant butter that had been damaged and was unfit for food. The explanation brought down upon the country gentlemen the indignant invective of free traders. Had it, then, come to this, that the great agricultural interest of England was dependent on polluting foreign butter with tar, lest by some chance

Increasing distrust of Peel.

[1] The opposition to the sugar duties was led by Milner Gibson, who tried to equalise all the duties on foreign and colonial sugar. Labouchere, speaking on behalf of the regular opposition, declined to go quite so far, and Milner Gibson was beaten by 211 votes to 84. *Hansard*, vol. lxxvii. pp. 1043–1151. Russell almost immediately afterwards refought the old battle which he had fought so often before, and tried to equalise the duties on all foreign sugar. He was beaten by 236 votes to 142. *Ibid.*, p. 1346. The resolutions were agreed to in *ibid.*, vol. lxxviii. p. 514. Cobden, in the debate on them, said the discriminating duty amounted to a protection of 10*l.* 10*s.* a ton on colonial sugar, or on 230,000 tons to a grant of 2,416,000*l.* to the West Indian colonists. *Ibid.*, p. 440. Roebuck tried to exclude professional incomes from the income duty, and was beaten by 263 votes to 55 (*Hansard*, vol. lxxvii. p. 634); and to extend the tax to Ireland, and was beaten by 275 votes to 33 (*ibid.*, p. 821); while Charles Buller, on an abstract resolution that the tax should be made less unequal and inquisitorial, was beaten by 240 votes to 112. *Ibid.*, vol. lxxviii. p. 614. Bankes tried to save the auction duties, with a view to applying the money to the relief of the ratepayers, and was beaten by 167 votes to 30. *Ibid.*, vol. lxxix. p. 295.

[2] Malmesbury's *Memoirs of an Ex-Minister*, pp. 103, 108.

CHAP XVIII. 1845.

the poor operative should succeed in getting a little cheaper food? Did the prosperity of the Tories really depend on dear butter and dear lard? 'I have sometimes said at Covent Garden,' exclaimed Cobden, 'that there should be written over this House, "Dealers in corn and cattle, and no competition allowed with the shop over the water." But I never said anything so insulting to you as that you were cheesemongers and dealers in butter.'[1]

Discontented with the minister whom they had placed in power, angry with the policy which he had pursued, smarting under the gibes of the free traders, the Tories only gave Peel a grudging support. Step by step they had been led into a support of Whig principles. Point by point every privilege to which they had clung was being taken away from them. The Administration, which had been placed in office to preserve the Corn Laws, had amended them in 1842; it had admitted Canadian corn on favourable terms in 1843; it had authorised the entry of duties on foreign cattle; it had repealed the import duty on wool; it was now removing the duties on grease, lard, hides, and even tares. What could Russell have done that Peel was not doing? Had not the country gentlemen a right to say that they had been betrayed by their leader. If he had thought when the new corn law was brought in by the Right Honourable Baronet—such was the declaration of the eldest son of the Duke of Richmond[2]—that it was to be followed by the tariff and Canada corn bill, no power on earth would have induced him to vote for it. He, like the rest of his friends, had been betrayed by Peel.

[1] See the debate in *Hansard*, vol. lxxviii. p. 1161, and cf. *ibid.*, vol. lxxix. p. 293. This debate had evidently much effect on Peel. He said in 1846 that a protectionist in taking his stand upon grease had done more injury to protection than had been done by any decided enemy to the cause. *Ibid.*, vol. lxxxiii. p. 1024.

[2] *Hansard*, vol. lxxviii. p. 983.

Yet the country gentlemen, bitter as they were, felt themselves powerless. They could not cross the House and join the Opposition; they could not defeat their leader without Whig aid. Their ablest speakers had their tongues tied by office, and they had the mortification of finding themselves worsted in debate as well as in the lobby. Help from any quarter would, under such circumstances, have been welcome to them; and help came from an unexpected place. In the preceding chapter allusion has been made to the young literary adventurer, who, after many unsuccessful efforts, had succeeded in obtaining a seat in the House of Commons. Disraeli had not displayed, since his election, any great Parliamentary activity. The inquirer who takes the trouble to analyse division lists will probably be surprised at his almost constant absence. But he occasionally came down to the House to make a set speech, and on these occasions he displayed an increasing distrust of the Whigs and an increasing admiration of Peel. 'Placed in an age of rapid civilisation and rapid transition,' so he spoke of the great Conservative statesman in May 1841, 'he had adapted the character of his measures to the condition of the times. When in power he never proposed a change which he did not carry, and when in opposition he never forgot that he was at the head of the Conservative party.'[1] Warm panegyric of this kind its author probably thought worthy of an acknowledgment. Peel, however, in forming his Ministry failed to provide any place for his young supporter. But Disraeli did not immediately alter his opinions. He became an authority on commercial treaties—the great advocate of reciprocity. He was compared afterwards to a clock, 'whose hands were at one time supposed (having gone for three hours in a dull monotonous tick upon foreign policy) to point

Disraeli's attack on the Ministry.

[1] *Hansard*, vol. lviii. p. 856.

CHAP. XVIII. 1845.

to some diplomatic appointment abroad. But the right honourable baronet, knowing the maker too well, would have nothing to do with it,[1] and Disraeli remained unemployed.

Distrust is usually mutual. The neglect of the minister was resented by the subordinate; the clock, moreover, to go on with the metaphorical quotation, was 'disappointed at not being the clock at the Admiralty; . . . . at last it became quite irregular, no longer chiming in with the right honourable baronet.' The chime had become so much out of tune that Disraeli, in August 1843, ventured to accuse the Ministry of 'disgraceful conduct.' The members of Peel's Cabinet were not yet accustomed to the insubordination of their supporters; and the minister to whose lot the reply fell declared that 'it was not seemly on the part of younger members of that House to rise up behind her Majesty's ministers, whom they intended to support, and heap the grossest terms of contumely and opprobrium upon them.[2] In the following year Peel compelled the House to reverse the decision which Miles had persuaded it to express on the sugar duties. Disraeli, in strong language, denounced the conduct of the minister in coercing his supporters, and the weakness of his supporters in yielding to the minister. For himself he intended to remain firm. 'Nor shall I feel that I have weakened my claims upon the confidence of my constituents by not changing my vote within forty-eight hours at the menace of a minister.' Goulburn, still unused to language of this kind, declared that he had seldom heard a speech addressed to ministers which contained language so derogatory to their character and so calculated, if not intended, to hurt their feelings.[3] The reproof had no

[1] *Hansard*, vol. lxxv. p. 1472.
[2] *Ibid.*, vol. lxxi. pp. 841, 842.
[3] *Ibid.*, vol. lxxv. pp. 1030, 1037. Roebuck, speaking on the same evening, ascribed Disraeli's speech to 'a feeling of disappointment.' And, in allusion to the manifest impossibility of the minister's satisfying

effect on the orator. A year afterwards he raised a laugh in one debate by saying that Peel 'had caught the Whigs bathing and walked away with their clothes;[1] while about the same time, in terms of more severity, he declared that 'Protection appears to be in about the same condition that Protestantism was in in 1828. The country will draw its moral. For my part, if we are to have free trade, I, who honour genius, prefer that such measures should be proposed by the honourable member for Stockport (Cobden) than by one who, through skilful Parliamentary manœuvres, has tampered with the generous confidence of a great people and a great party. For myself, I care not what may be the result. Dissolve, if you please, the Parliament you have betrayed, and appeal to the people, who, I believe, mistrust you. For me there remains this at least—the opportunity of thus expressing publicly my belief that a Conservative Government is an organised hypocrisy.' It was obvious that the minister felt the blow which he affected notwithstanding to disregard. In other years he had left to his subordinates the duty of reply; in 1845 he attempted it himself. He quoted the praise which Disraeli had accorded to his policy in former years, and contrasted it with the language which he had lately adopted. 'This I know,' so he concluded, 'that I then held in the same estimation the panegyric, with which I now regard the attack.'[2]

Peel, of course, did not succeed in crushing his opponent by affecting to disregard his invective. He had to deal with a man who had begun life with the reflection that 'a smile for a friend and a sneer for a

all the claims on him, quoted the sermon preached at the University on Pitt's visit to Cambridge: 'There is a lad here with five barley loaves and two small fishes; but what are they among so many.' *Ibid.*, p. 1082.

[1] *Hansard*, vol. lxxviii. p. 155. Graham, in reply, rejoiced that Disraeli was in open and avowed rebellion, and no longer in a state of covert mutiny. *Ibid.*, p. 156.

[2] *Hansard*, vol. lxxviii. pp. 1028, 1038.

CHAP. XVIII. 1845.

foe is the way to govern mankind,'[1] and who, if he occasionally forgot the smile, never omitted the sneer. Within a month of Peel's retort Disraeli renewed his attack on the minister, 'I never knew the right honourable gentleman bring forward a measure which assumes to settle a great controversy without saying that three courses were open to us. In a certain sense he is right. There is the course the right honourable gentleman has left; there is the course that the right honourable gentleman is following; and there is usually the course which the right honourable gentleman ought to follow. . . . The right honourable gentleman tells us to go back to precedents; with him a great measure is always founded on a small precedent. He traces the steam-engine always back to the tea-kettle.'[2] But the sneer on this occasion was to be followed by something worse. 'Something has risen up in this country as fatal in the political world as it has been in the landed world of Ireland—we have a great Parliamentary middle-man. It is well known what a middle-man is; he is a man who bamboozles one party and plunders the other, till, having obtained a position to which he is not entitled, he cries out, "Let us have no party questions, but fixity of tenure."'[3] 'Peu de Torys,' so wrote a distinguished foreign statesman of this very speech—'même parmi les plus mécontents, auraient tenu, sur le plus illustre d'entre eux, un si insultant langage; mais beaucoup prenaient plaisir à l'écouter.'[4]

The man who habitually throws mud at another may bespatter or miss his opponent; but, in either event, he is certain to sully his own fingers. Disraeli, however, did not mind dirtying himself, if he could only succeed in damaging his opponent; and his mud, it must be conceded, usually flew very straight. He

[1] *Vivian Grey*, book ii. ch. iii.
[2] *Hansard*, vol. lxxix. p. 557.
[3] *Ibid.*, p. 565.
[4] Guizot's *Life of Peel*, p. 191.

gained the double object of making himself the spokesman of discontent, and of irritating the minister who had neglected the agricultural interest and the member for Shrewsbury. The agriculturists, in fact, were in a state of despondency. A high authority declared in the beginning of 1845 that 'he had never seen them so depressed and out of spirits as at the present moment.'[1] It was authoritatively stated in March that the farmers of Norfolk were paying their rents out of capital, that half the small farmers in Devonshire were insolvent, and that the other half were rapidly falling into the same position.[2] The condition of the agricultural labourer was wretched in the extreme. His sufferings had been bad enough when they had been shared by others; they seemed intolerable when they had to be endured alone. 'It is the remark of a beautiful writer,' said Mr. Bright in the House of Commons, 'that to have known nothing but misery is the most portentous condition under which human nature can start on its course. Has your agricultural labourer ever known anything but misery? He is born in a miserable hovel; he is reared in penury; he passes a life of hopeless and unrequited toil; and the gaol or the unionhouse is before him, as the only asylum on this side the pauper's grave.'[3] 'I be protected,' so ran the well known speech of an agricultural labourer at a meeting of the Corn Law League, 'and I be starving.'[4]

Continued depression of agriculture.

Throughout the whole of Peel's administration the distress of the agricultural classes continued. It alarmed the country gentlemen, and it embarrassed the Ministry. The country gentlemen were almost unanimous in ascribing their difficulties to the competition with which they were threatened, and to the burthens

[1] Lord Malmesbury, *Hansard*, vol. lxxvii. p. 33.
[2] *Ibid.*, vol. lxxviii. p. 785.
[3] *Hansard*, vol. lxxvi. p. 1108.
[4] The meeting was at Bremhill; the labourer, Job Gringell. *Hansard*, vol. lxxxiii. p. 1125.

CHAP. XVIII. 1845.

Renewed activity of the Corn Law League.

which were thrown on land; they were almost unanimous in demanding increased protection and reduced taxation. And throughout the whole period the great association which Cobden had promoted, and which Cobden and Mr. Bright were ever stimulating into action, was holding its meetings, levying its contributions, and declaring that the reed on which agriculture was leaning would only pierce its hand; while Tories were complaining that the course which Peel was pursuing, and the language which he was using, were disheartening the protectionists and encouraging the Corn Law League.

If British agriculture depended on corn laws and protection, the fears which the country gentlemen expressed were justified. Every year which passed made the organisation of the Anti-Corn Law League more complete. Its members increased in number, its subscribers increased as rapidly as its members. Instead of contenting itself with holding meetings in large towns, it boldly pushed its missionaries through rural England. It asserted its opinions with increasing confidence on the floor of Parliament. In May 1843, while the country gentlemen were still agitated at the prospects which the Canada Corn Bill was affording them, the League maintained a five nights' debate in the House of Commons. In June 1844 Villiers, who had originated the debate in 1843, again demanded the repeal of the Corn Laws. In June 1845 he renewed the attack. 125 members supported him in 1843; 124 in 1844; 122 in 1845. But the majority which defeated him dwindled from 381 in 1843, to 328 in 1844, and to 254 in 1845.[1] The League, moreover, was not satisfied with demanding the repeal of the Corn Laws. It was undertaking to prove that the Corn Laws were made for the landlords, and the landlords alone. In

[1] *Hansard*, vol. lxviii. p. 407; vol. lxxv. p. 1549; vol. lxxxi. p. 381.

1843 Cobden declared that 'The law was passed for the landlords, and that it operates for their benefit and their benefit only.' In 1844 and 1845 he tried to obtain an opportunity for proving the truth of his assertion. In each year he moved for a committee to inquire into the condition of the agricultural classes, and into the effects of the Corn Laws upon them. The country gentlemen were not prepared to concede the committee. But their refusal of it placed them in a fresh dilemma. It enabled free traders to declare that the protectionists had not the courage of their own opinions, and did not venture to subject them to the test of inquiry.[1]

Agitation, too, like a snowball, was gathering force as it rolled. The subscriptions to the League rose from 5,000*l.* to 12,000*l.*, from 12,000*l.* to 100,000*l.* It obtained 500,000 signatures to its petitions in one year, 1,000,000 in the next, 1,500,000, and from 2,000,000 to 3,000,000 in the two succeeding years.[2] Intelligent farmers criticised the folly of admitting cattle at reduced rates of duty, and of maintaining high rates of duty on beans and Indian corn, the raw materials out of which fat cattle were produced.[3] The speakers of the League were obviously educating the farmers, and the garrison by which the citadel was defended was showing dangerous signs of division. The agriculturists were evidently in need of an earnest leader to rekindle their enthusiasm; and the leaders, instead of conducting them to victory, seemed half-inclined to surrender the citadel. The foremost free traders openly declared that Mr. Gladstone was on their side at heart. 'If you want to know what the principles are that ought to guide our commercial policy,' said one of them in 1843, 'look at the right honourable gentleman's article in the "Foreign

[1] *Hansard*, vol. lxix. p. 393; vol. lxxiii. pp. 862, 960; vol. lxxviii. pp. 785, 881.

[2] *Ibid.*, vol. lxxiii. p. 944.

[3] *Ibid.*, vol. lxxviii. p. 800.

CHAP. XVIII. 1845.

and Colonial Review;" but if you wish to know how these great principles can be reduced to a question of miserable expediency, look at the right honourable gentleman's speech last night.'[1] Expediency still regulated Mr. Gladstone's utterances in 1844. He told the free traders then that the House had devoted eighteen nights to the discussion of the subject the year before, and could not renew the discussion every year.[2] For himself he claimed something like stability for the decisions of Parliament. Language of this kind was sensible enough, but it had not the true ring of protectionist principles.[2]

The improvement of trade.

From Mr. Gladstone's standpoint, however, a good deal could be urged for waiting quietly to test the results of the law of 1842. Misery rose to its highest level in the course of 1842, and the barometer which indicated its growth fell rapidly afterwards. The declared value of the exports rose from 47,284,988*l.* in 1842, to 52,206,447*l.* in 1843; to 58,534,705*l.* in 1844, and to 60,111,082*l.* in 1845. From 1835 to 1842 the foreign trade of the nation had remained almost exactly stationary; from 1842 to 1845 an addition of 25 per cent. had been made to it. The internal trade of the country increased during the same period with even greater activity. In 1842 the people had been unable to find employment. In 1845 the demand for labour exceeded the supply of it. It was stated in the House of Commons that 114,838 persons were employed in some Yorkshire factories in 1845 in which only 84,510 had been working seven years before.[3] This vast addition to the demand for labour had been accompanied by a steady decrease in the price of food. Beef had been reduced from 7*d.* to 5½*d.* per lb., mutton from 7*d.* to 6*d.*, sugar from 7*d.* to 5*d.*, tea from 5*s.* to 4*s.*,

[1] *Hansard*, vol. lxix. p. 113, cf. *Croker Memoirs*, vol. iii. p. 11.

[2] *Ibid.*, vol. lxxv. p. 1419.

[3] *Ibid.*, vol. lxxx. p. 907.

flour from 10½*d.* to 8½*d.* a quartern.[1] The income of the working classes had increased, and the cost of their food had diminished. In consequence, pauperism was gradually diminishing, and crime was decreasing even more rapidly. In 1842, 31,309 persons had been committed for trial, and the committals declined to 29,591 in 1843, to 26,542 in 1844, and to 24,303 persons in 1845. In 1842 one person out of every 500 of the population was committed for trial; in 1845 one person out of every 750 was so committed.

The mighty change in the condition of the people, which commenced in the Ministry of Peel, and which has been continued almost uninterruptedly ever since, was not solely due to the fall of one political party and to the rise of another to power. The contests, indeed, which men dignify with the name of History are only little bubbles floating on the surface which enable us to mark the movements of the tide. To ascertain the true causes of the prosperity, the inquirer must go beyond even the great Budget of 1842. What Peel really did in that year was to accelerate and accentuate an impulse which was already prepared. He found a country staggering under burdens which a mistaken policy had imposed, which made everything dear, and which did no good to any human being. He saw the necessity of removing the load, and he removed it. And by making England a cheap[2] country instead of a dear country, he gave enterprise an opportunity which it had never known before.

The Budget of 1842, therefore, is a proof of Peel's knowledge, of his foresight, and of his skill. But the Budget of 1842, unprecedently great as it was in its conception and completeness, was not the sole or even the chief cause of the subsequent improvement. This

[1] These figures were cited by Graham, *Hansard*, p. 910.

[2] See a letter of Peel's in the *Croker Memoirs*, vol. ii. p. 385.

CHAP. XVIII. 1845.

country owes probably more to Peel than to any other statesman who ever lived in England. But the true heroes of modern England are not her statesmen but her inventors and engineers.

The development of railway enterprise.

In a former volume an account has been given of the origin of railways up to 1830. The success of the Liverpool and Manchester Line gave an extraordinary stimulus to these undertakings. In the four years ending 1829, only a little more than 800,000*l.* a year was authorised to be spent on railways. Authority was given by Parliament for an average expenditure of more than 2,000,000*l.* in each of the four years ending 1833, of nearly 11,000,000*l.* in each of the four years ending 1837, and of nearly 21,000,000*l.* in each of the four years ending 1845.[1] The capital expended on railways, which amounted to 65,000,000*l.* in 1843, exceeded 200,000,000*l.* in 1848.[2] Less than 2,000 miles of railway had been constructed in 1843, and more than 5,000 miles had been constructed in 1848. The pertinacity with which these projects were pushed forward compelled the Ministry to deal with the whole subject of railways. In 1844 an Act was passed authorising the Government, in the case of any railway constructed after that year, in certain contingencies and after a certain interval, either to purchase the line or to revise the tolls; and provision was at the same time made for the carriage of poor persons at what were then thought to be low fares.[3] The legislation, however, which Parliament provided on the occasion was not produc-

[1] Porter's *Progress of the Nation*, p. 332. The authorised expenditure after 1837 sank to 3,600,000*l.* in the four years ending 1841.

[2] *Statistical Abstract*, 2nd number, p. 84.

[3] 7 & 8 Vict. c. 85. Provision for cheap fares had previously been made in an Act of 1838; the complaint was made in the House of Commons in 1844 that a third-class passenger going to Bath could not travel by day, and had to stand all the way. It was admitted that the carriages were without covering, though it was claimed that they had seats, and that a third-class passenger leaving London at 4.30 A.M. could reach Exeter at 9 P.M. *Hansard*, vol. lxxii. p. 245.

tive of much good, and is not worthy of much attention.

Its consequences.

The rapid development of railway enterprise was productive of two advantages. In the first place, at a time when capital was redundant and the labour market overstocked, it provided a new and almost illimitable field for the investment of the one and the employment of the other. And, in the next place, it encouraged enterprise in another way. The production of the country was actually arrested from the difficulty or inability of distributing its produce. Years before, the invention of the spinning-jenny and the mule had led to the provision of more yarn than all the weavers in the kingdom could consume. The discovery of the power-loom had redressed the balance, and thenceforward there was no artificial limit to the use of yarn in weaving. But the horses in the country, whether they were employed on roads or on canals, could not possibly distribute, with reasonable economy, all the cloth which the manufacturers could produce. Production was, in other words, limited by the want of means of distribution; and, if no new locomotive power had been invented, the progress of industry must necessarily have been checked.

Steam at sea.

Just, then, as the greatest industrial fact in the eighteenth century was the application of steam to production, so the most important commercial circumstance in the nineteenth century is the application of steam to locomotion; and the invention and its consequences undoubtedly did more for the development of trade than even the great Budget of 1842. It is a remarkable circumstance that, while the steam-vessel preceded the locomotive, the use of steam to any great extent on land preceded its use to any large degree at sea. In 1841 the tonnage of the steam fleet in the commercial navy of the United Kingdom was only one-

CHAP. XVIII. 1845.

thirtieth part of the tonnage of the sailing fleet. Twenty years after 1841, there were still eight tons moved by sails for every ton moved by steam. Four years afterwards, in 1865, when the sailing fleet attained its maximum tonnage, the tonnage of the steam fleet was one sixth of the tonnage of the sailing fleet; in 1884 the tonnage of the steam fleet exceeded the aggregate tonnage of all the sailing vessels.[1]

This revolution—for it is a greater revolution than either a Reform Act or a change of dynasty—was characterised by opposite peculiarities. So far as railways are concerned, the actual speed of the locomotive has not been materially augmented by half a century of progress. The engine burns less fuel, it is worked more economically; but the fastest train that runs now does not travel at twice the speed at which the 'Rocket' bore Huskisson to the house where he died. But, in the case of the steamer, the opposite has occurred. It is hardly an exaggeration to say that almost every year has added to the speed, the size, and power of the steam-vessel, and that the finest steamers are three times as fast and ten times as large as the finest vessels forty years ago.

The tool-makers of the nineteenth century.

It is worth observing, moreover, that the prodigious advance made during the last half-century would have been impossible at any previous period of the world's history. If, at the beginning of the century, men could have designed the 'Alaska' or the 'City of Rome,' they could not have built them. In fact the progress of mankind may be traced in the history of its tools; and just as the Neolithic age superseded the Palæolithic age, the Bronze age the Stone age, and the Iron age

[1] The numbers are:—

	Sailing Vessels.		*Steam Vessels.*	
	Number	Tonnage	Number	Tonnage
1841	22,668	2,839,332	793	96,067
1861	25,905	4,300,518	2,133	506,303
1865	26,069	4,936,766	2,718	823,533
1884	18,053	3,464,078	6,601	3,944,273

the Bronze age; so, in our own time, the marvellous skill of the tool-maker and the application of steam to tool-making have enabled man to accomplish objects which would have been impracticable before.

The democratic effects of steam.

There is another circumstance connected with the application of steam to locomotion which has perhaps received insufficient notice. The railway, when it was first introduced, was administered on aristocratic principles. The steamer, from its first introduction, was worked on a democratic plan. Railway directors could not imagine that it would pay to carry passengers at high speed and low fares; and their best trains were, therefore, reserved for the rich, while the poor were carried at slow rates, at inconvenient times, and in uncomfortable carriages. It was otherwise with the steamer. The shipowner had the wisdom to see that, if the vessel ran at all, it would pay him to carry everyone whom he could attract to it; and he did not commit the folly of providing a comfortable and fast steamer for the rich, and an uncomfortable and slow steamer for the poor. But, in the course of forty years, a mighty change occurred in the ideas of railway directors. They discovered that, if their enterprise was to be successful, it must be supported by the shillings of the poor and not by the sovereigns of the rich. With rare exceptions the poor man can now travel at the same speed and with almost the same comfort as his richer neighbours, and the wisest railway managers are annually endeavouring to provide more and better accommodation for the many.

An indication of the increasing prosperity of the working classes.

The facts which have thus been mentioned afford perhaps the best proof that can be given of the growing prosperity of the people. If the working classes had remained in the abject poverty in which Peel found them, they would not now be travelling in third-class carriages in express trains. It was their increasing

CHAP. XVIII. 1845.

wealth which gave them means to travel, and induced the railway companies to make adequate provision for their accommodation. But if these facts furnish the best proof of the growing prosperity of the people, they are also symptoms of their greater power. In a neighbouring country, men, when they effect a revolution, write *égalité* on the walls. In our own country we do quite another thing, we attach third-class carriages to express trains.

The application of steam to locomotion was, then, the greatest fact in the commercial history of the century, but it was accompanied with two other circumstances of great moment and prodigious influence. The first of these, the institution of cheap postage, was a reform accomplished by Parliament which has already been related in the previous volume. The second of them, the transmission of messages by electricity, has still to be recorded.

Electricity.

Man, from the earliest ages, has probably devised means for the rapid propagation of intelligence. Gibbon relates that, in the second empire, fire-signals were repeated from one mountain to another, and a chain of stations commanded a space of 500 miles;[1] while those who are familiar with Scott's poetry and Mr. Froude's History will easily remember picturesque descriptions of beacon-signals. In the period of the great war, when early intelligence of the enemy's movements was of essential importance, a new system was introduced, and messages were signalled from hilltop to hilltop by a succession of semaphores. This method of communication was called a telegraph; and the word 'telegraph' was in common use long before electricity was applied to telegraphy. For instance Croker, writing from the Admiralty in 1813, said that the Plymouth telegraph had announced a new victory; while the compiler of the

[1] Gibbon, *Roman Empire*, vol. x p. 13[illegible].

'Annual Register' records in 1827 that telegraphic communication had been established between Holyhead and Liverpool and a message conveyed from place to place in five minutes.[1] The word was in equally common use in other countries; to take a curious illustration, Guizot inserts in his 'Mémoires' the elaborate telegraphic message in which the third Napoleon's attempt on Strasburg was conveyed to Paris,[2] and adds the curious statement that the message was interrupted in the middle of it from the line becoming enveloped in mist.

It is not improbable that a reader who meets with such passages as these a century hence will wholly fail to attach to them their proper meaning. He will associate a telegraph with the only telegraph which he has ever known, and will be at a loss to understand how an electric current could have been interrupted by a fog. For the telegraph to which these passages refer is already as extinct as the dodo; and, unlike that bird, has left no fossil or other remains behind it to enable future investigators to record its history.

It is difficult to give the whole credit of any invention to any individual. De Caux and Lord Worcester preceded Watt, and Trevithick constructed a steam carriage before Stephenson built a locomotive. When we say that Watt applied steam to production, and that Stephenson extended it to locomotion, we mean that these are the two men who proved to mankind that steam could be thus used. It is not possible to speak with similar exactness in the case of electricity. The knowledge of this marvellous force which has already annihilated time, and which in the future may turn darkness into light and supersede steam itself as a power, has been communicated to us by a succession.

[1] *Croker Memoirs*, vol. i. p. 53; *Ann. Reg.*, 1827, Chron., p. 180.

[2] Guizot, *Mémoires*, vol. iv. p. 198.

CHAP. XVIII. 1845.

of investigators. Its use and the methods of using it have only gradually been discovered by a succession of experimentalists.

When Pope, in the eighteenth century, in a well-known couplet expressed his wonder 'how the devil' the flies had got into the amber, 2,400 years had passed since man had first observed that the amber possessed a property much more marvellous than the flies. But it would have surprised Pope to learn that his property was to make the name which the Greeks had given to amber (*electron*) the most notable of modern names; since it was to be applied to the force which perhaps will ultimately account for many unexplained phenomena of the universe, and which is already the most powerful that man has taken into his service.

Thales.

Though, however, in the sixth century before Christ, Thales had observed and recorded the power of attraction which amber possessed, little came of his discovery for 2,400 years. In the sixteenth and seventeenth centuries of our era, indeed, Gilbert and Boyle and Newton in our own country, and Von Guericke abroad, succeeded in showing that other substances besides amber possessed the power of attraction; and that light and sound could both be produced by 'electrical excitation.' But it was not till the eighteenth century that any real advance was made in the study of the new forces. Even thoughtful men at the present time are only beginning to recognise the debt which the world owes to the eighteenth century. The work which that century did was not of a kind to attract superficial attention. It was work of preparation, and the foundations of a building do not catch the eye so readily as the superstructure. Yet mankind should not be ungrateful to those who pave the way for future progress; and should remember that it was in the laboratory of

the eighteenth century that the nineteenth century was prepared.

1845.

Before the first thirty years of the eighteenth century were complete, Stephen Gray, a Fellow of the Royal Society, showed that electricity could be conducted from one body to another. The discovery was, in one sense, hardly new. The fisherman of the ancient world who touched an electric ray with a harpoon and received a shock in his own body had experienced the fact, which he was unable to explain. Gray, however, did much more. He suspended an ivory ball by some common packthread from a piece of rubbed glass at the top of his house, and he found that he could conduct the electricity from the glass to the ivory. He endeavoured to conduct the electricity in a horizontal instead of a perpendicular direction, suspending his packthread by strings of packthread, and the experiment failed. At the suggestion of a friend he substituted silken for hempen strings and the experiment succeeded, and he was actually enabled in this way to convey electricity 886 feet. It was obvious from these experiments that, while hemp conducted the electricity, silk did not. In other words, that while some bodies had, others had not, the power of conducting electricity.

Gray.

While Gray was conducting this experiment in England, Dufay, a Frenchman, was simultaneously engaged on investigations which resulted in a fresh discovery. He found that the electricity produced by exciting a vitreous subject like glass was different from the electricity produced by exciting a resinous subject like amber. For 'a body with vitreous electricity attracted all bodies with resinous electricity and repelled all bodies with vitreous electricity; while a body with resinous electricity attracted all bodies with vitreous electricity and repelled all bodies with resinous electricity.' While, a few years afterwards, a German,

Dufay.

CHAP. XVIII. 1845.

Muschenbroëck of Leyden, reasoning on this discovery, conceived the idea that 'the electricity of bodies might be retained by surrounding them with bodies which did not conduct it.' The idea led to the invention of the Leyden jar, in which electricity may be accumulated or stored.

The Leyden jar.

These three great discoveries were made, it must be recollected, by men experimentalising for the sake of acquiring knowledge, without the faintest idea of the mighty consequences which were to result from their labours. The next great advance, in the discoveries which were ultimately to lead to the electric telegraph, was, on the contrary, made by accident—if the term accident can properly be applied to the observations, made by men of learning, of facts which ordinary persons ignore. At the end of the last century Galvani, an Italian professor, noticed that the leg of a dead frog —in course of preparation for his table—was convulsed on being brought into contact with the dissecting knife of an assistant engaged in working an electric battery. Some time afterwards he observed that the legs of other dead frogs, which had been suspended on some copper hooks in an iron balcony were similarly excited into motion whenever the wind brought them into contact with the iron of the balcony. A compatriot of Galvani, Volta, hearing of the discovery, was led to deduce from it that electricity had been generated by two metals being brought into communication through the moist limb of the frog. Galvani, on the contrary, inferred that the electric fluid was present in the frog's limb, and that it had been excited by the contact of the metals. Later experience has shown that both deductions were partly right. Electricity is present in the frog's limb, and it may be generated by copper and iron connected with a damp substance. Galvani's deduction, however, which has added the word galvanism to the universal

Galvani.

Volta.

language of civilisation, was of no importance in the history of the telegraph. Volta's deduction, which has added another word to the same language, was of supreme importance, because it led to his invention of the Voltaic pile. By placing plates of different metals, zinc and copper, one above another, but separated one from the other by pieces of cardboard saturated with salt and water, he succeeded in producing an effective electric battery. By connecting the zinc plate at the bottom with the copper plate at the top of the battery by a wire he was enabled to maintain an electric current of considerable volume in a constant flow. He had thus surpassed the achievements of Gray, Dufay, and Muschenbroëck. They had proved that it was practicable to conduct an electric current for short distances, and to store small quantities of electricity. Volta had made it possible to produce electricity in large volumes, and to conduct the current to the most distant places.

Thus a century of experiment and reflection had placed it in the power of man to realise the prediction of the poet and to throw—if need were—a girdle of electricity round the earth. Yet though Volta had made it possible to throw an electric current from Paris to St. Petersburg, the current could convey no meaning on its arrival. Electricity might light a warning flame or ring a warning bell, but it could do no more. And, for twenty years after the commencement of the century, no further advance was made. In 1820, Oersted, a professor at Copenhagen, was making some galvanic experiments at a lecture, and he noticed that the needle of a compass, accidentally left near the wire, along which the electric current was passing, was excited as the current passed. Struck with the circumstance, he made further experiments, and he found that the magnetic needle always lay across the current—in other words, that, if the wire extended from north to south,

Oersted.

CHAP. XVIII.

1845.

the needle, when the current passed along the wire, would lie east and west.

Ampère.

Ampère, a French professor, hearing of Oersted's discovery, carried the experiment still further. He showed that the needle not merely lay across the current, but that the direction of the current guided the direction of the needle. If the current flowed from south to north, the needle pointed to the west; if it flowed from north to south it pointed to the east. A little further reflection showed that this must be so, for electricity can only be transmitted from place to place by the completion of an entire circle. And it follows, therefore, that a current flowing from south to north presupposes a return current from north to south. As it had already been made possible to transmit the current from either end of the circle, it followed from Oersted and Ampère's discoveries that an operator in one place could make a magnetic needle at another place, lying along the path of a wire through which an electric current could be transmitted, turn to one side or to the other side of the wire at pleasure.

Faraday.

This discovery, supplemented by further experiments made by Ampère in France and Faraday in England, formed the basis of a new science—electromagnetism—which has already explained many phenomena, which had previously seemed inexplicable, and which may ultimately solve other problems in the book of nature, which have hitherto baffled the investigator. With its effects on physical science, however, this chapter has no concern. It is more to its purpose to point out that Ampère's experiment had made it certain that electricity would be employed as a means of communication. Before ten years were over, indeed, Ampère himself had suggested that it might be used for this purpose, and, in 1837, Cooke and Wheatstone in this country, and Morse in America, had invented telegraphs to depend on electricity.

The telegraph

Slow as had been the gradual progress of discovery, the invention, when it was once made, was adopted with startling rapidity. In 1837 a telegraph was erected on the Great Western line; in the succeeding years it was rapidly extended to other places. A submarine telegraph to the dockyard at Portsmouth suggested the possibility of submarine communication between England and France. A cable containing an electric wire was actually laid in 1850; and, though it was almost immediately broken, a new cable was successfully laid in 1851.[1] This achievement led to the rapid extension of telegraphic enterprise. Ireland was connected with England by the electric wire in 1854, Malta in 1861, and India in 1865. After many attempts, London and New York were placed in telegraphic communication one with another; and, in the course of a little more than thirty years, the whole civilised world was brought into almost instantaneous communication by this most marvellous of inventions.[2]

This great discovery and the simultaneous development of railways had undoubtedly much more to do with the greater prosperity of the people than either the Budget of 1842 or the Budget of 1845. It is erroneous to suppose that the administration of Peel was, in the largest sense, the cause of the happier state of modern England. But it is none the less true that the reforms which Peel introduced accelerated the impulse which inventors set in motion; and thus the rapid progress of the nation would have been retarded or postponed if it had not been for the great fiscal reforms initiated by the greatest of modern Ministers.

[1] *Ann. Reg.*, 1850, Chron., p. 106. *Ibid.*, 1851, Chron., p. 164.

[2] In the slight account of the leading discoveries which resulted in the invention of the electric telegraph, I have not ventured to do more than draw the barest outline. The reader, who wishes for more detailed information, will find an excellent article on electricity in the new edition of the *Encyclopædia Britannica*, and ample references to the best works on the subject.

CHAP. XVIII. 1845.

Ireland.

But, throughout the whole of the four years during which Peel's Ministry had now endured, he had been compelled to deal with another question which requires longer and more elaborate treatment. Ireland had been the chronic difficulty of the English people; and the condition of Ireland was on the eve of attracting fresh attention. In the first three years of Peel's administration, indeed, fine weather, producing fine harvests, had partially allayed the perpetual grievances of the Irish people. 'Whatever superiority of wisdom Her Majesty's Government may have over their predecessors'—so Russell had said in 1844—'they have had much better weather.'[1] But, in July 1845, the hopes of a good harvest, which a fine June had inspired, were destroyed by constant rain.[2] And the rain, it was gradually seen, was producing a greater evil than a deficient corn crop. For from all parts of the kingdom, the same news was spreading. Something was the matter with the potato, and the potato in 1845 was the sole food of six millions of people in these islands.

The consequences which ensued from the potato disease in 1845 must be reserved for treatment in a future chapter. Before concluding the present one it may be desirable to supplement this account of industrial revolution and financial legislation with a short review of the other measures, introduced during the same period to improve the social condition of the people.

The Poor Laws.

It had been the misfortune of the Melbourne Ministry that it had alienated its best supporters by its culpable determination to retain office when it had no longer the power to enforce its Irish policy, and that it had alienated the masses of its fellow-countrymen by its steady support of the new Poor Law. Peel un-

[1] *Hansard*, vol. lxxv. p. 1426.
[2] Tooke's *History of Prices* from 1839 to 1847.

questionably owed some portion of his majority in 1841 to the hatred which this law inspired. Yet he had never taken a single step which justified the conclusion that he was in favour of amending it. The utmost that could be said of him was that many of the candidates, pledged to his support, indulged in reckless denunciations of the 'tyrants of Somerset House.' It has been already stated that, in the short session in which the new Government was formed, authority was obtained for keeping the new law alive for another year. In the course of 1842, Graham, as Home Secretary, introduced a measure for continuing the law for another five years. Its introduction rekindled the smouldering embers of controversy. The abuses which had occurred since the new law had been in operation were brought forward; the hardships which the poor were experiencing were repeatedly insisted on. All that passion and exaggeration could do was done to defeat the bill.

The position of the Commissioners was plain enough. It was their object to discourage pauperism by making the pauper's lot unendurable or at least disagreeable. As a general rule, therefore, they set their faces against outdoor relief. Destitution was to be the sole ground on which relief was to be given. Entrance to the workhouse was to be the test of destitution, and the test was to be made efficient by the exaction of labour, by the strict regulation of diet, by the enforcement of severe discipline and even constraint. There was no doubt, too, that the firm belief which they entertained of the wisdom of these rules made them occasionally indiscreet. Stories were told of their striking beer out of a workhouse dietary, and of their punishing the master of another workhouse who had given the poor beef and plum-pudding on Coronation day;[1] while, unfortunately for them, a confidential memorandum, prepared only

[1] *Hansard*, vol. xxxv. p. 710; vol. xliv. p. 727.

CHAP XVIII. 1845.

for the information of the Cabinet, and couched in the hardest language, found its way into the hands of the proprietor of the *Times*, and was read by him in the House of Commons.[1] The Commissioners, moreover, it is reasonable to suspect, hardly made sufficient allowance for the machinery with which they had to work. Masters of workhouses, interpreting their orders strictly, committed excesses which the Commissioners had never foreseen. Adult girls were flogged for misconduct; old people were washed in cold water; and sick people, restricted to the approved allowance, were refused the food which was essential to their recovery.[2]

Such complaints as these did not necessarily prove that the system was wrong. They only showed that its administration was imperfect. The politicians, however, who attacked the new Poor Law, declared the system, and not its administration, to be in fault; grievances, they argued, were inevitable so long as the workhouse was a test of relief; they could only be removed by the relief of the poor in their own homes. The true answer to this contention was that relief was intended to be irksome. But the Government did not venture on returning such an answer in 1842. Graham, on the contrary, was at pains to explain that the workhouse test was only used in exceptional cases, and that the mass of the poor were still relieved outside the house. He even declared that it would be cruel in the extreme, that it would be unjust, that it would be oppressive if the workhouse test were made the universal rule. His argument subjected him to one very inconvenient retort. O'Connell reminded him that there was no outdoor relief in Ireland.[3] But it probably conciliated a great many English members. The long debate on the bill, protracted throughout the greater part of June and

[1] *Hansard*, vol. lxvi. pp. 1172, 1175.

[2] *Ibid.*, vol. lxiv. p. 101.

[3] *Ibid.*, vol. lxv. pp. 508, 510.

July 1842, was gradually terminated, and Parliament, at the end of July, assented to a measure which continued the Poor Law Commissioners for a further period of five years.[1]

The passage of the bill, however, had not settled the controversy; Graham, in fact, had only succeeded in securing the continuance of the Commissioners by dropping other clauses which had originally formed part of the measure. It became consequently necessary for him to deal with other matters in future sessions. At the commencement of 1844 he introduced a bill, which removed the law of bastardy out of the Poor Law, enabled the mother to recover from the father the cost of maintaining the child; and provided asylums at night for the relief of destitute persons without inquiring as to the place of their settlement.[2] Towards the close of the same session he introduced another measure making birth the basis of settlement, and prohibiting the removal of poor people from the place in which they had resided for five years.[3] The first of these measures led to a repetition of the old discussions. A clause was introduced into it, against the wish of the Government, which ordered women who were mothers to be relieved at the place of their residence.[4] The second of them, though reintroduced in 1845,[5] did not become law till 1846, when the removal of the poor man from the parish in which he had resided five years; of the wife from her husband's parish; or of the children from their parents' parish, was at last forbidden; and the hardships which the poor had undoubtedly endured were to some extent alleviated.[6]

Bastardy.

Settlement.

[1] It was read a second time in the Lords on the 26th of July. *Hansard*, vol. lxv. p. 630. A proposal to limit the Bill to one year was defeated in the Commons. *Ibid.*, vol. lxv. p. 74.

[2] *Ibid.*, vol. lxxii. p. 476.

[3] *Ibid.*, vol. lxxvi. p. 1932.

[4] *Ibid.*, p. 1058.

[5] *Ibid.*, vol. lxxvii. p. 312.

[6] 9 & 10 Vict. c. 66. It ought, perhaps, to be added that, when the Act of 1842 expired in 1847, a change was made in the constitution

CHAP. XVIII. 1845.

In fact, the heat which a long controversy had produced had gradually cooled; the advantages of the new law were discovered to outbalance its inconveniences; its most violent opponents reconciled themselves to its continuance; and, instead of clamouring for its repeal, endeavoured to improve its administration. The Poor Law had already been extended to Ireland. In 1843 a commission was appointed to inquire into the state of the Scotch poor.[1] In 1844, the commission reported; and in 1845 most of the principles of the English Poor Law were extended to Scotland.[2]

A feeling, however, was gradually arising that other remedies than the compulsory relief of the poor were urgently required. Ashley had already obtained distinction by his efforts in the cause of the Factory Bill of 1833. In 1840 he moved for the commission of inquiry into the employment of women and children in mines and collieries, which produced the sensational report whose contents have already been alluded to in a preceding chapter. In 1842 he introduced a bill to give effect to the commissioners' recommendations, and urged it on the House in a speech which quoted freely from the Report—this 'awful document' which excites 'a feeling of shame, terror, and indignation.' The 'awful document' had done its work, and the House assented to the first reading of the bill, which excluded women from mines, forbade the employment of children under 13

Employment of women and children in mines.

of the Poor Law Commissioners, and the president and secretary were allowed to sit in the House of Commons. The second reading of the bill making this change, was carried, after four nights' debate, by a large majority—218 votes to 42. *Hansard*, vol. xcii. p. 1236. But a clause was inserted in committee against the wish of the Government, compelling the guardians to give joint accommodation in workhouses to old married people. *Ibid.*, vol. xciii, p. 898. The Act is the 10 & 11 Vict. c. 109; the clause is section 23 of the Act.

[1] For a debate on the appointment see *Hansard*, vol. lxvi. p. 179.

[2] The report is in *Parl. Papers*, 1844, vol. xx.; for the Lord Advocate's speech introducing the Bill, *Hansard*, vol. lxxviii. p. 1399. The debate on the second reading is in *ibid.*, vol. lxxxi. p. 398. The Bill became the 8 & 9 Vict. c. 83.

years of age, and sanctioned the appointment of inspectors to enforce its provisions.[1] The colliery owners of the North of England were alarmed at the prospect of so radical an interference with their industry, and insisted on the impossibility of conducting their business if the employment of boys of eight was forbidden.[2] Londonderry, one of their number, who was no friend to what he was pleased to term 'the hypocritical humanity which reigned so much at present,'[3] gave them his warm support; and secured for them a compromise which suffered them to employ boys of ten on three days a week.[4] Ashley was bitterly disappointed at the alterations which were thus made in the bill; but he was wise enough to reflect that the half-loaf was better than no bread, and to accept the mutilated measure which Londonderry was good enough to offer him.

During the passage of the bill, the mine-owners had frequently employed an argument which it was difficult to answer. Assume, they said in effect, all the cruelty with which the Report charges us, similar grievances exist in other employments. Why select a single industry for reform, and leave the evils which characterise other occupations unremedied? The true answer to the contention was that Ashley had no intention of dealing with mines and collieries alone; on the contrary, he had been the constant advocate of further reform. In 1837 he had urged the Government to take up the matter; in 1838 he had himself taken up a bill which the Government had introduced, and on its failure had asked the House to express its regret that the Factory Act had been so long without amendment; his motion had virtually compelled the Government in 1839 to make a more serious attempt to legislate, while,

[1] *Hansard*, vol. lxiii. pp. 1320–1364.

[2] The remonstrance of the northern mine-owners is printed in *Hansard*, vol. lxiv. p. 544 note.

[3] *Ibid.*, vol. lxv. p. 104.

[4] *Ibid.*, p. 3.

CHAP. XVIII. 1845.

in 1840, he had obtained an inquiry into the whole subject.[1] But the information, which was thus gained, proved that an Act, which merely regulated labour, would do very little. Every commission, and every committee, which inquired into the subject, and every person who was brought into contact with the labouring classes, were struck by the lamentable ignorance which universally prevailed. Education, it was gradually seen, was the chief thing needful; and, at the commencement of 1843, Ashley proposed an address to the Crown, praying it to adopt measures for diffusing the benefits and blessings of a moral and religious education among the working-classes.[2] The address, supported on all sides of the House, was carried without a division. The Queen returned a gracious answer to it; the Government agreed to legislate; for one night, at any rate, a whole assembly professed a unanimous desire to throw a little light into the darkest corners of modern England.

Education.

But the abstract is frequently more acceptable than the concrete. The thesis, which commands universal assent in the one shape, is attacked on all sides in the other. The first words, which man attributes to his God, are a command for light; the noblest prayer in the great epic of the ancient world is a prayer for light; the last words, which were uttered by the great philosophic poet of the nineteenth century, were a plaintive cry for more light. In theory, in 1843, every man of education or position would have readily joined in the petition, 'Lighten our darkness.' They admitted the necessity for more light: they were even ready to pay for it, provided—for the whole admission

[1] See *Hansard*, vol. xliv. p. 383. Lord Ashley's motion in 1838 was only defeated by 121 votes to 106. *Ibid.* p. 443. The Government Bill of 1839 is in *ibid.*, vol. xlv. p. 434. For inquiry of 1840 cf. *ibid.*, vol. lii. p. 860; and vol. lv. p. 1260.

[2] For the debate, *ibid.*, vol. lxvii. p. 47.

was in the proviso—the light was the light of their own farthing candles.

Graham proposed to redeem the pledge which the House had given by introducing a measure, regulating factories, and providing for the education of the children employed in them. No child under eight years old—so he proposed—should be employed at all; no child under thirteen should be employed for more than six hours and a half a day; no young person under eighteen, and no girl under twenty-one, should be employed for more than twelve hours a day on the first five working days of each week, or for more than six hours on a Saturday. Children, in factory districts, who were above eight years old and under thirteen, were to attend school. The inhabitants of the district, with the assistance of the Government, were to provide adequate school accommodation for the purpose. The schools to be erected were to be vested in two trustees, one of whom was to be the clergyman of the parish. The master of the school was to be appointed by the Diocesan; the inspector, who visited the school, was to be approved by the Diocesan; the version of the Scripture authorised by the Church was to be used in the school; the books employed in it were to be selected by the Diocesan. Even these provisions did not satisfy the requirements of extreme churchmen like Inglis. They were received with a yell of dismay by Roman Catholics and Dissenters. The Dissenters of Manchester pledged themselves to oppose the measure by every means in their power. The Roman Catholics declared that no Roman Catholic child could conscientiously attend the new schools. Had not the Church of England, so they argued, already obtained an adequate monopoly? Had she not already sole possession of the wealthy universities and schools? Is not she contented 'with these vast advantages, but, after having herself most

The Factory Bill of 1843.

CHAP. XVIII. 1845.

reprehensively neglected the education of the poor, when a measure is proposed to rescue the infant operative from the degradation and depravity of ignorance, is she to come forward with her pretensions, and claim, as a matter of ecclesiastical prerogative, the instruction of factory infants upon whom she never cast away a thought before?'[1]

Frightened by the storm which he had raised, and the multitude of petitions against the bill, which rained night after night on the table of the House, Graham endeavoured to modify his measure. He proposed to increase the number of the trustees; to confine the religious instruction of the children to particular hours, at the commencement or at the end of each school time; to insist on it being given in separate class-rooms; and to allow the parent a right of forbidding its child religious teaching. But these concessions did not conciliate the Opposition. The whole thing, said Roebuck, depended on the Church; the whole scheme was designed to promote the influence of the Church; and, 'in no plan of education, maintained and enforced by the State'—so he asked the House to resolve—'should any attempt be made to inculcate peculiar religious opinions.'[2] Roebuck did not, indeed, succeed in carrying his proposition. Members of Parliament, in 1843, were too busily engaged in fanning the flames of their own candles to admit that they had no right to extinguish the lights of other people, and they accordingly rejected Roebuck's resolution by a large majority.[3] But the motion, defeated as it was, had done its work. A month afterwards, Graham, finding that he had failed to satisfy the Church, and that he had affronted dissent, withdrew the educational clauses.[4] The labour clauses

[1] The words are Sheil's, in *Hansard*, vol. lxix. p. 553. For the bill, *ibid.*, vol. lxvii. pp. 422, 1477.

[2] *Hansard*, vol. lxix. pp. 530, 539.

[3] By 156 votes to 60, *ibid.*, p. 564.

[4] *Ibid.*, vol. lxix. p. 1567. Hume, later on, proposed a resolution on the subject of education, but the House

cumbered the notice paper a little longer, when they too were withdrawn.

Religious differences had produced the ordinary result. A measure, which all humane men admitted to be necessary, had been postponed because the sects into which Christianity was divided were all intent on moving by the solitary light of their own candles. Despairing of reconciling these differences, afraid of neglecting the interests which raised them, Graham, in the commencement of 1844, reintroduced his bill without the education clauses. The bill, in other respects, was the same bill as that of 1843, except that the minimum age at which any child could be employed, was raised from eight to nine years.[1] The education controversy, which had raged fiercely in 1843, was no longer possible. But a new controversy arose on what was then known as the ten hours' clause. Factory reformers had, for years, maintained that ten hours were long enough for any young person to work. Official persons, on the contrary, authoritatively advised that its adoption would lead to a reduction of 25 per cent. in wages,[2] and declared that manufacturers could not maintain their superiority if the hours of work were reduced to ten. The Liberals, as a body, supported their leaders in maintaining twelve hours as the duration of a day's work. The Tories, on the contrary, against the wishes of their leaders, supported a ten hours' clause. With their support, Ashley, in 1844, twice defeated the Government, carrying a test amendment,

was counted out, *ibid.*, vol. lxx. p. 1350. The Church, as a rule, has clung so persistently to its notions of religious education that it ought perhaps to be added that Hook, the vicar of Leeds, the leader of the High Church party, and perhaps the best specimen of an English clergyman then living, saw clearly enough that the State had no business with religion, and that the only education which it could provide must be of a purely secular character. See Stephen's *Life of Hook*, p. 261, and Hook's letter to Mr. Gladstone in *ibid.*, p. 346.

[1] For the bill, *Hansard*, vol. lxxii. p. 278.

[2] For the estimate, *ibid.*, vol. lxxiii. p. 1109.

CHAP. XVIII. 1844.

virtually introducing a ten hours' system from the 1st of October, 1845.[1] But, though he was able to carry this test amendment, he failed to introduce the ten hours into the enacting clauses of the bill. The House, nearly evenly divided, thought that the matter should be compromised, and rejected by a small majority Graham's proposal for a twelve hours' clause, and, by a rather larger majority, Ashley's alternative of a ten hours' clause.[2] It was probably at the moment ready to split the difference and make eleven hours the duration of a young person's work. Graham, however, bent on maintaining his own view, did not afford it the opportunity of doing so. He withdrew his bill, and substituted for it a new one, merely making such amendments in the law as he imagined would command universal assent. Ashley, in vain, endeavoured to graft the ten hours' clause on the new measure. The House refused to give him a new victory over the Government, and the bill, as it was accordingly passed, while it regulated the labour of children, contained no provisions for limiting the working hours of young persons.[3]

Graham had won his battle; the bill had become law in the shape in which he had desired. But the Ministers had little cause to congratulate themselves on the victory. They had purchased it by disregarding the wishes of the respectable people whom Ashley represented, and by rigorously coercing their own supporters. Nor had they the satisfaction of reflecting that they had permanently disposed of a difficult question. The Act of 1844 applied to cotton and silk mills. At the commencement of 1845, Ashley brought in a bill to regulate labour in calico print-works and in bleaching grounds. The old story, which he had told so often, had to be told again. Little

[1] For Ashley's amendment, *Hansard*, vol. lxxiii. p. 1073. For the divisions on it, *ibid.*, pp. 1263–1266.

[2] *Ibid.*, pp. 1460–1463.

[3] *Ibid.*, vol. lxxiii. p. 1666, vol. lxxiv. pp. 899, 1104.

children were employed in these works almost as soon as they could walk. Yet the manufacturing classes viewed, with a not unnatural alarm, the persistent efforts which Ashley was making to regulate labour in every branch of industry. 'It has been said to me more than once,' so he himself confessed, 'Where will you stop?' The answer was not likely to allay panic. 'I reply, without hesitation, Nowhere, so long as any portion of this mighty evil remains to be removed.' A Government, responsible for the trade of the country, and with no experience of the consequences which might ensue from interference with industry, viewed the prospect 'with a serious apprehension.' They saw the impossibility of resisting the movement, of which Ashley was the spokesman, and they dreaded the consequences of accepting his measure. Graham assented to the introduction of the new bill, but reserved to himself every latitude for amending it. He ultimately consented, if the bill were confined to print-works, to prohibit the employment of children under eight, to prohibit the employment of all girls, and of boys under thirteen, at night, and to provide for the education of children under eight and thirteen. Ashley, afraid of wrecking his measure by another contest on the ten hours' clause, assented to this compromise; and a further step was thus taken towards the regulation of infant labour.[1]

Argument against the ten hours' clause.

The promise, which Ashley made in 1845, he fulfilled in the beginning of 1846. The political atmosphere, indeed, was not at that time favourable for the adequate discussion of a great measure of social policy. The causes, which had produced a crisis in affairs, and

[1] For the bill, *Hansard*, vol. lxxvii. p. 638. Out of 565 children, whose ages were inquired into, 1 began work between four and five; 3 between five and six; 63 between six and seven; and 133 between seven and eight, *ibid.*, p. 640. For Lord Ashley's promise, *ibid.*, p. 653. For Graham's amendments, *ibid.*, vol. lxxviii. p. 1369.

CHAP. XVIII. 1845.

which will be related in detail in the succeeding chapter, concentrated attention on other matters than factory reform. Yet, at the commencement of the session, Ashley, returning to the charge, reintroduced his measure. Unfortunately, he thought it his duty immediately afterwards to submit to the electors of Dorsetshire, whom he represented, the propriety of his determination to support the policy of free trade in corn; and the squires and their tenants, rallying in the cause of Protection, mustered at the polling booths and drove him from the House of Commons. In his absence from Parliament, the charge of the bill fell upon Fielden, the member for Oldham. The bill, which again contained the ten hours' clause, was thrown out by a small majority.[1] But this result only strengthened the hands of reformers. The bill—the same bill—was re-introduced in 1847.[2] Supported by the Whig Ministry, which was at that time in office, it passed its second reading by a majority of more than two to one.[3] Though the Ministry had announced its intention of amending the ten hours' clause in committee, the manufacturers, dispirited by the nature of their defeat, desisted from opposition and laboured for a compromise.[4] The ten hours' clause was, under these circumstances, carried, though the Prime Minister and his colleagues voted against it;[5] and even the Lords disobeyed the injunction of Ministers and passed the measure.[6]

The clause passed.

The victory marks an epoch in the history of England. It was a new and greater proof than had yet been afforded of the growing power of numbers. It has been sometimes claimed as a Tory triumph; it

[1] For the debates in 1846, *Hansard*, vol. lxxxiii. pp. 378–418, vol. lxxxv. p. 1222, vol. lxxxvi. pp. 466, 998. The majority was 203 votes to 193, 1080.

[2] *Ibid.*, vol. lxxxix. p. 487.

[3] By 195 votes to 87, *ibid.*, vol. xc. p. 175.

[4] *Ibid.*, vol. xci. p. 22.

[5] By 144 votes to 66, *ibid.*, p. 146.

[6] *Ibid.*, vol. xcii. p. 946. The Act, a very short one, is the 10 and 11 Vict., c. 29.

was nothing of the kind; it was a victory of the people over official England; and both parties of the State, if the opinions of political parties are to be tested by those of their responsible leaders, were equally opposed to it. It is true that unofficial Tories voted for the clause, and unofficial Whigs voted against it. But the unofficial Whigs voted with their leaders because their party was in good order; the unofficial Tories voted against their leaders because they were in a state of mutiny. The Factory Acts may have been right or wrong, wise or unwise. But right or wrong, wise or unwise, the credit of their passage rests with neither political party. They were carried, as years afterwards a Merchant Shipping Act was carried, in an unwilling Parliament, by the force of popular opinion.

The passage of the ten hours' clause, therefore, illustrated the increasing pressure of opinion on Parliament: and the result proved that unofficial England was right, and that official England was wrong. Men in office had loudly proclaimed that the ten hours' clause would inevitably lead to lower wages;[1] and the passage of the clause did nothing of the kind. The length of a day's work decreased, and its value increased. Yet the seeming paradox admitted of easy explanation. Machinery altered the whole conditions of the labour market. In 1815, said Ashley, a person following a pair of mules, spinning No. 4 cotton, walked eight miles in twelve hours and put up 820 stretches. In 1832, the machine moved so much more rapidly that the workman, to keep pace with it, would have had to walk twenty miles, and would have been able to put up 2,200 stretches.[2] It was obvious that each labourer in 1832 produced in twelve hours 160 per cent. more yarn than in 1815, and that wages formed to

[1] See, for instance, Mr. Leonard Horner's statement, quoted in *Hansard*, vol. lxxxvi. p. 1012.

[2] *Ibid.*, vol. lxxiii. p. 1077.

CHAP. XVIII. 1847.

the same extent a decreased element in the cost of production. The working man was being gradually changed from a labouring to a supervising animal.

But there was another and a still stronger reason why wages did not fall from the reduction in the hours of labour. Man is only an animal, his labour is subject to the conditions under which all animals work. He has neither strength nor endurance for accomplishing more than a certain task; and, if he attempts more than he can get through, he is certain to fail. If a man in full vigour can walk 180 miles in a week of six days, he will not compass a greater distance by walking ten instead of eight hours a day. He will be leg-weary and reduce his pace from four to three miles an hour. And so it is with all work. Great authors have discovered that a space of two hours in one day is, on an average, the maximum time during which they can produce first-rate literary work. Such men would increase neither their product nor its value by working three hours. It is with the work of the hands as it is with the work of the brain; there is a limit to man's capacity to produce and to endure.

This truth was only imperfectly understood in the middle of the present century; and, in consequence, the working man, ill-fed and over-tasked, bore on his person and inflicted on his children the mark of too much toil and too little food. Wise men said that more food and less work, and not more work and less food were the needs of the age. No 'race of degenerate dwarfs,' to use Macaulay's phrase; 'no potato-fed race,' in Cobden's language, could hope 'to lead the way in arms, arts, or commerce.' And so, though officials understood it not, the men who gave to their fellow-labourers cheaper food and greater leisure were to be reckoned as among the chief builders of modern

England. They found a race stunted by insufficient diet, deformed by premature and excessive toil, and they gave the men—what the brutes had long enjoyed—a little more food and a little more leisure:

'Leisure to live, leisure to love, leisure to taste our freedom;
O suffering poor, O patient poor, how bitterly you need them.'

CHAPTER XIX.

CHAP. XIX. 1841.

Ireland.

IRELAND is, at once, a scandal and a difficulty to the English people. For centuries the English have been endeavouring to solve the Irish question, and every solution has hitherto failed. Their attempts to solve it have been continually marred by conditions which have, in fact, made their failure certain. They have constantly attended to one side of the problem, while the Irish as persistently have exclusively regarded the other side of it. For the English, with the moral instincts of a law-abiding race, have concentrated their attention on the disturbances and outrages which have desolated Ireland. While the Irish, dissatisfied with their own position, have been occupied with the remedy of their peculiar injuries. The one people has been clamouring for a redress of grievances, the other has been demanding the restoration of order.

The English and Irish view of the Irish question.

Much could undoubtedly be urged for the English view of the Irish problem. When Ireland was the constant scene of outrage and disorder, when life was unsafe, and property was insecure; when even dumb animals were not exempt from cruel injury, if they happened to belong to unpopular persons; no Government, worthy of its name, could have avoided exceptional precautions for the preservation of life, and for the protection of property. The precautions which the English Government took were natural enough in the period in which they were first proposed. The Coercion Acts and the Crimes Acts which were applied to

Ireland, were not much more opposed to the principles of modern legislation than the measures with which Pitt, at the close of the eighteenth century, and the authors of the Six Acts, at the close of the reign of George III., endeavoured to stamp out sedition in England. But while, after the accession of George IV., every Administration showed an increasing disposition to govern England without resorting to exceptional laws, every minister showed a growing reluctance to dispense with exceptional legislation in Ireland. The votes of English and Scotch members could always be relied on for sanctioning or continuing repressive measures in that country. Its disordered condition unfortunately afforded Parliament an adequate excuse for this conduct. And so, though Ireland was nominally part of the United Kingdom, though her representatives sat in the British Parliament, measures were uniformly applied to Ireland which would not have been endured in Great Britain.

This difference in the treatment of the two nations was perhaps unavoidable. But it made representative government in Ireland a fraud. It is absurd to say that a country enjoys representative institutions if its delegates are uniformly outvoted by men of another race. The logical result of English policy towards Ireland should have been the suspension of constitutional government in Ireland. If, indeed, English statesmen had only had the courage to govern Ireland for a score of years as India is governed now, and as every colony was governed in the reign of George IV., and if they had concurrently terminated the undoubted grievances to which the Irish were exposed, Ireland might possibly be peaceful to-day. But English statesmen did not venture on carrying out their policy to its logical extreme. They could not bring themselves to deprive their fellow-subjects of the advantages of Parliamentary represen-

CHAP. XIX. 1841.

tation: and they contented themselves with providing the Irish Government with exceptional machinery for preserving order. In the result, the whole scheme broke down. Order was not preserved; and the Irish alleged their treatment by England as an excuse for the brutal outrages which they continually committed.

The characteristics of English legislation.

It must not be thought that the exceptional legislation, to which English statesmen resorted in the nineteenth century, bore any resemblance to the indefensible methods which their ancestors had used. On the contrary, they displayed an increasing disposition to remove the chief grievance which the Irish still endured; and they imagined that, with its removal, the Irish would condone the past. They omitted to reflect that it is easier for a dominant race to forget than for a subject people to forgive. A long course of misgovernment and oppression had placed the Celt in enmity with the Saxon, and the mere removal of a legal barrier could not obliterate a galling memory. Every Irish child had been reared in the tradition that men of his own kindred, of his own tongue, and of his own faith had once held the land from which men of another race, another language, another creed had dispossessed them. How could it be expected that such a memory would be obliterated by allowing the Irish tenant the advantage of a Roman Catholic representative in Parliament?

The consequences of emancipation.

Emancipation, indeed, had done all the work which it could reasonably be expected to do. It had removed one of the disqualifications to which the Irish were subject. The mistake which was made in 1829 was the conclusion that the remedy of a single grievance would satisfy the Irish. The ordinary experience of every-day life might have taught any sensible person that it could not do so. A creditor, who receives 2*s*. 6*d*. in the pound, does not usually forego his claim to the remaining 17*s*. 6*d*. The Irishman, who was at

the mercy of an absentee landlord, and an unsympathetic agent, who was forced to contribute to the support of a Church to which he did not belong, and who was liable at any moment to have his rent raised or to be evicted from his holding, was not likely to be pacified by the knowledge that he had the opportunity of voting once in five or seven years for an O'Brien or an O'Connell. He was in want of bread, and the English Government had given him a stone.

The manner in which emancipation was carried.

Unfortunately, moreover, the circumstances under which redress had been granted tended to encourage a new agitation. The boons, which England conferred on the sister kingdom, were never granted voluntarily; they were always extorted by the Irish. It required the arming of the volunteers and the American rebellion to obtain for Ireland independence in the eighteenth century. It required the Catholic Association and the Clare election to obtain for the Irish emancipation in the nineteenth century. An excitable people might easily believe that they owed these reforms to their own resolution, and to no sense of justice in England. A quick-witted people might readily conclude that future reforms could be won in the same way. If, in short, emancipation had been accomplished in 1819, the Irish would have had no fresh example before them of the advantages of organisation. The reluctance of the British Parliament to concede this small measure of justice forced the Irish into association and taught them their power.

Ireland and the reformed Parliament.

The policy of an unreformed Parliament, in refusing the emancipation of the Roman Catholics so long as it dared to do so, was unfortunately imitated by a reformed legislature. The Irish Roman Catholic, having obtained Roman Catholic representation, desired to rid himself of the burden of maintaining a Protestant Church. It was no use urging in reply the stock

CHAP. XIX. 1841.

arguments of Tories and landowners. He had learnt in 1829 the value of association. He applied the lesson in 1831; he declined to pay his tithe; and even Stanley, with the aid of troops, police, courts-martial, and Coercion Acts, could not compel him to do so. In the interests of the Church—even the House of Lords was willing to consider the interests of the Church—exceptional legislation for Irish tithes had become necessary. Then arose the numerous tithe bills, which made and unmade ministries, from 1833 to 1839. Amidst the almost interminable discussions to which these measures led, one point of agreement was constantly visible. Every authority, from O'Connell at one pole of the question to Stanley at the other pole, admitted that the tithe should be collected ultimately from the landlord and not from the tenant, and that the tithe-owners should concede some portion of their revenues in exchange for the better security which they would thus obtain for the residue. Political parties in England were ultimately divided on the detail whether the Church of a minority should retain 70 or 75 per cent. of its tithes. The great Tory party haggled successfully for the odd 5*l.* But details of this kind were of no interest to the Irish people. They desired to rid themselves of Church and tithes. They succeeded in transferring the tithes to their landowners; and every Irishman knew that success had been won from a reluctant legislature by the resolute conduct of the Irish themselves.

Association in Ireland.

Thus England for ten years had been busily impressing upon Ireland the value of association. The Irish had been taught to believe that they could obtain nothing except by association; they had been simultaneously taught that, with association, they might march from victory to victory. Great, however, as the victories had been which the Irish had gained, the

English had on every occasion tacked conditions to their concessions which made them unwelcome as gifts grudgingly bestowed. In 1829 England granted to Ireland Roman Catholic Emancipation, but she accompanied the grant with the wholesale disfranchisement of the Roman Catholic cottiers. In 1839 England passed a Tithe Bill, but she refused to apply a shilling of the revenues of a detested Church to any purpose unconnected with the Church itself. A year afterwards she grudgingly granted a measure of municipal reform to Ireland, and she availed herself of the opportunity to deprive all but the very largest towns of the advantages of self-government.

The policy of Parliament towards Ireland.

Conduct like this sufficiently explains the irritation which the Irish still felt towards England. The conduct of the English to the Irish, moreover, was emphasised by the conduct of the foremost men in England to the foremost Irishman. It is difficult even now to read unmoved the story of the treatment which O'Connell habitually received in England. O'Connell was not merely the foremost Irishman alive; he was perhaps the greatest Irishman that Ireland had ever known. He represented Ireland as no one ever represented Ireland before. The issues of peace or war depended on his single voice. From 1835 the life of the Whig Ministry rested on his favour, and he risked offending many of his closest adherents in Ireland by his zealous support of Melbourne and Russell. And yet this man was habitually insulted by the English people and slighted by the English Ministry. The Emancipation Act was accompanied by the pitiable condition that the great victor should not receive the rewards of his victory. His sovereign, 'the first gentleman in Europe,' chose, in his own house, to turn his back with studied insult on his distinguished subject. The Whigs left their choice club, by scores at a time, because

The conduct of society towards O'Connell.

CHAP. XIX. 1841.

O'Connell became a member of it; and the great Whig houses closed their doors to the first orator of his generation. Distinguished foreigners noticed the strange treatment which the English awarded to the most powerful Irishman; and Guizot could only gain access to the agitator through the courtesy of a Whig lady of Irish birth. The story remains on his pages, to the shame of the Whigs. O'Connell, seeing that the dinner was to be followed by a reception, rose to take his leave. He did not know that a Foreign Minister's wish had converted, for three short hours, the outcast into the hero.

The treatment of Ireland by England was no longer marked by the savage contrivances which disgraced the annals of the seventeenth century. There was no probability in 1840 of anyone suggesting that men, women, and even children should be cut down with the horrid justification that, as nits will be lice, Irish children would grow into Irish men and women.[1] There was no probability that a whole population would be ejected from their homes and their property, and transplanted into the wilds of Galway. These had been the expedients of the seventeenth century. There was even no probability of a Protestant seizing a Roman Catholic's estate, or of a Protestant Parliament, or of a Protestant Privy Council, recommending either the branding or the mutilation of Irish priests.[2] These were the expedients of the eighteenth century. A studied determination to maintain the rights of a minority unimpaired; a fixed resolution to yield nothing to the Irish which it was possible to refuse; the habitual accompaniment of every measure of grace with offensive conditions; a constant

[1] Prendergast's *Cromwellian Settlement*, p. 58. If English gentlemen would only read Mr. Prendergast, they would, perhaps, understand the causes of Irish disaffection more clearly than they do now.

[2] See Lecky's *History of England*, vol. i. pp. 296-7, and cf. *Hansard*, vol. cvii. p. 116.

neglect of Ireland's greatest representative—these were the indignities which Englishmen reserved for their unfortunate fellow-subjects in the enlightened atmosphere of the nineteenth century.[1]

The poverty of the Irish

Ireland, indeed, was suffering from other evils than those which England had inflicted on her. She was enduring a distress which had no parallel in the history of the world. It has been already stated that 1,429,000 persons—one person out of every eleven—were receiving relief in England and Wales in the beginning of 1842. In 1845, the destitute poor of Ireland amounted to one-third of the entire population.[2] The poor were habitually living under conditions which would have made life itself among any other population impracticable. The existence of Irish distress, however, was so common that it hardly attracted attention: and, though commission after commission had been appointed to investigate its causes, they were only imperfectly understood. Yet the main cause of Irish distress stands out so clearly that it is impossible to ignore it. In 1731, the best conjecture was that there were 2,000,000 people in the country.[3] In 1841 Ireland had 8,150,000 inhabitants. Without any addition to her manufactures, without any addition to her trade, with the loss of her capital, her people had

due primarily to the increase of population.

[1] The Melbourne Ministry appointed Sheil, More O'Ferrall, and Wyse, three Irish Roman Catholics, to subordinate appointments in the Administration. Bradshaw, the member for Canterbury, speaking to his constituents said, 'Look at the appointments these men and women have made. There is not one of them that is not a direct insult to the nation. See the Irish Papists promoted to place, to power, and to patronage.' Lord Melbourne's 'sheet anchor is the body of Irish Papists and Rapparees whom the priests return to the House of Commons. These are the men who represent the bigoted savages, hardly more civilised than the natives of New Zealand, but animated with a fierce, undying hatred of England. I repeat then deliberately that the Papists of Ireland, priest and layman, peer and peasant, are alike our enemies—aliens as they are in blood, language, and religion.' These extracts were quoted by Russell in the House of Commons. *Hansard*, vol. lxxii. p. 700.

[2] Sir C. Gavan Duffy in *Young Ireland*, p. 640.

[3] *Parl. Papers*, 1837–8, vol. xxxv. p. 459. Cf. for the population in 1777, Arthur Young's *Tour in Ireland*, vol. ii. p. 200.

CHAP. XIX. 1841.

multiplied to this extraordinary degree. The fact alone explains the terrible destitution into which the Irish had fallen; and the historian, instead of investigating the causes of distress, has to ascertain the conditions which had made the multiplication of the people possible.

Causes of the increase.

There were probably two causes which, in the first instance, stimulated the growth of the Irish people. In 1782, Ireland obtained independence; in 1779 she had secured free trade. Home rule increased the expectations which free trade had encouraged, and the Irish imagined that an era of new prosperity was before them. Their hopes, in the first instance, seemed certain of accomplishment. The woollen manufacture obtained a home in Dublin; the linen trade of Belfast seemed capable of indefinite expansion; and the light-hearted Irish married and multiplied without a thought beyond the wants of the hour. While they were marrying and multiplying, events were in progress in a neighbouring country which were to be more powerful than even penal laws in depriving Ireland of her trade. Hargreaves and Arkwright, Crompton and Cartwright, were perfecting their inventions; and machinery was replacing manual labour in every textile industry. These inventions, if they had stood alone, would have tended to aggregate industries in districts where iron was produced and machinery could be made. The tendency became irresistible when the engine which had been invented by Watt was applied to the jenny, the water-frame, the mule, and the loom. Steam, it became evident, was a cheaper and better motor than water, and a district without coal was thenceforward at a disadvantage. The population moved towards the coal-fields; and the woollen manufacture, which had previously been dispersed throughout England, was concentrated in the northern counties. The same influences, which affected

Coal.

southern England, were of course felt in Ireland. Dublin was beaten by Manchester and Leeds. Belfast was overtaken in the race for wealth by Dundee; and Ireland, without coal and iron, was slowly but gradually deprived of her manufacturing industries.

The Relief Act of 1793.

At the moment at which this industrial revolution was commencing, the Irish Parliament passed a measure of political justice, which, in its ultimate effects, inflicted terrible suffering on Ireland. It extended to the Roman Catholics the elective franchise, which had been previously exercised by Protestants alone. An Irish landowner, who suffered imprisonment for his love to Ireland, called this Relief Act 'that fatal measure, the ultimate cause of every succeeding calamity of Ireland,'[1] and this language hardly exaggerates the pernicious effects which resulted from it. Political influence was, at that time, the ready instrument for obtaining social distinction. Every Irish landowner could increase his influence by multiplying his tenantry; and forty-shilling freeholders could be created by the score or hundred on every hillside. Needy Irish landlords, bent on creating faggot votes, cut up their properties into little freeholds, which they recklessly granted on lives to any poor men who were ready to take them. The landowner derived an immediate benefit from this policy. In addition to augmented political influence, he secured a direct pecuniary advantage. He spent nothing on the slip of land which he granted to his wretched cottier. The mud hovel which the man erected on it, the rough fence with which he enclosed it, were raised by his own labour. What matter to the landlord whether the man lived or died, throve or failed, so long as he could rely on his vote at the next election?

The potato.

A multiplication of freeholders was, indeed, only possible because the standard of living among the Irish

[1] Gioncurry's *Recollections* p. 34.

CHAP. XIX. 1841.

was low, and capable of being made lower. Nearly two centuries before, Raleigh had introduced the potato into Ireland. With the single exception of rice, the potato is the cheapest food on which human life can be sustained. A barrel of potatoes, weighing four bushels or eighty pounds, is sufficient to support a person for thirty-six days. Ten barrels of potatoes, therefore, will feed a man for a year; and eighty barrels of potatoes, the ordinary produce of an Irish acre, will feed a family of eight persons for the same period. Two Irish acres of land would have been required to grow adequate wheat for the support of the same family; and an acre of land under potatoes was, therefore, capable of supporting twice as many people as an acre under wheat.[1] The potato made it possible for Ireland to support almost as many families as she had acres of her soil; and the Irish, gradually driven from their industrious pursuits by English competition, swarmed upon the land. The potato stood between them and the grave. Their trade was failing, but the potato enabled them to go on multiplying; and the woes which Ireland has since endured may thus be referred to two causes: the absence of coal, and the presence of the potato.

Before the Union in 1801, these truths had not asserted themselves. The movement of trade was only commencing; the multiplication of freeholds was not completed; and the population had not assumed the proportions which it afterwards acquired. But the inevitable consequences, due to a loss of trade and an increase of the people, became immediately visible after 1801; and the Irish, like many other persons, confusing the *propter* and the *post*, ascribed all their misfortunes to the Union itself. There are, indeed, reasons for

[1] Arthur Young's *Tour in Ireland*, vol. ii. p. 120. Arthur Young reckoned that the land under wheat would lie fallow every alternate year, and consequently placed the proportions as four instead of two to one. But the rotation of crops has affected his argument in this respect.

believing that the Union intensified the evils which would under any circumstances have arisen. Before the Union Dublin had been the centre of fashionable society in Ireland. After the Union, peers and commoners could plead their Parliamentary duties as an excuse for withdrawing to London. The Viceroy without his Parliament looked like a pale moon, reflecting only a borrowed and feeble light. Irish society, shunning the mock satellite, longed to bask in the real sun in London.

Absentees.

Absenteeism, which was already draining the life-blood from Ireland, became a more intolerable evil; and men who had Dublin houses found that their property was reduced to one-third of its value in a dozen years. Taxation, when its produce is wisely expended, may be compared with the sun, which absorbs the superfluous moisture of the soil in order that it may be returned in fertilising showers. But the taxation imposed by absentee landlords is not attended by this recompense. The wealth is drawn from the poor nation: the fertilising showers fall on the wealthy one.[1]

By increasing absenteeism the Union had intensified distress. It had withdrawn revenues from the country, which might have afforded employment to some of the superfluous poor. But the poor themselves bred and multiplied till the subdivided land was almost incapable of further subdivision. Then began the terrible retri-

[1] Lord Cloncurry, in 1801, sold for 2,500*l.* a house in Merrion Square, which cost his father 8,000*l.* in 1791. *Recollections*, p. 9. Arthur Young published in 1772 a list of Irish absentees, whose united incomes amounted to 732,000*l.* Vol. ii. p. 191. He placed the rental of Ireland at 5,293,000*l.* *Ibid.*, p. 86. Absenteeism, therefore, at that time drew one pound out of every seven of Irish rental out of Ireland. Smith O'Brien in 1847 placed the rents of absentee landlords at 4,000,000*l.*, or at nearly one-third of the whole rent (*Hansard*, vol. xci. p. 159), but Cloncurry placed them at 6,000,000*l.* *Ibid.* vol. lxxiv. p. 889. So far as I know there is no accurate list of absentees at the present time. The Irishman who compiles one, and suggests some practicable scheme for subjecting them to exceptional taxation, will take a direct step towards remedying the woes of Ireland.

CHAP. XIX. 1841.

bution which ever attends upon improvidence. In the good seasons the people grew a supply of potatoes adequate for food. In the bad seasons the supply proved inadequate, and for a portion of each year the peasantry had an insufficient quantity of bad potatoes to live upon. Men, starving for want of food, are not likely to make any serious provision for the future. It was a common practice in Ireland to eat the best of the bad potatoes, and to reserve the worst for seed.[1] The cottiers had never heard of the doctrine of heredity, yet there is even heredity in potatoes. Raised from unhealthy tubers, the potatoes became less vigorous; the crops failed more and more frequently. Even skilled writers assume now that the rot, which a few years later on destroyed a whole crop, and involved a nation in famine, came suddenly and without warning. Nature does not work so clumsily. She had given ample warning, to those who had eyes to see, of the famine that was coming.[2]

Irish famine.

The periodical famines which occurred in Ireland[3] between 1815 and 1830 made Irish proprietors doubt

[1] Good potatoes were a luxury; an inferior tuber, the 'lumper,' had been brought into general use in consequence of the facility with which it could be cultivated on inferior soil. When it was first introduced, it was thought scarcely good enough for swine. In 1838 it constituted the principal food of the labouring peasantry. *Parl. Papers*, 1837–8, vol. xxxv. p. 535.

[2] I have never met anyone who knew or recollected that ten years before the potato disease of 1845, the same disease broke out in the United Kingdom (*Ann. Reg.*, 1835, Chron., p. 338) and attracted sufficient attention to become the subject of a paper read at the British Association Meeting in 1836. *Ann. Reg.*, 1836, Chron., p. 123. It had been known for some years in America. *Hansard*, vol. lxxxviii. p. 769.

[3] The term Ireland is used in the text, but all parts of Ireland were not equally poor. The Railway Commissioners, writing in 1837, said that wages in the northern districts averaged 1*s.* a day, and that the food of the people consisted of meal, potatoes, and milk; in the southern districts they averaged 8*d.* a day, and the food of the people consisted of potatoes and milk; in the western districts they averaged only 6*d.* a day, and potatoes formed the sole food of the people. *Parl. Papers*, 1837–8, vol. xxxv. pp. 459–460. The Devon Commission said of the Irish labourers, 'In many districts their only food is the potato, their only beverage water; their cabins are seldom a protection against the weather; a bed or a blanket is a rare luxury; their pig and their manure-heap constitute their only property.' *Parl. Papers*,

the wisdom of the policy which they had been pursuing for nearly forty years. For political purposes they had encouraged the multiplication of the people, and Ireland, in consequence, had become a great lazar-house. The policy moreover failed. The sword broke in the hands of the men who had fabricated it. The forty-shilling freeholders, rebelling against their landowners, threw out a Beresford for Waterford, and returned O'Connell for Clare. Peel, seeing that no reliance could be placed on the peasants' votes, determined on their disfranchisement; and the miserable cottiers, who had been created for political objects, remained, like a swarm of locusts, eating up the soil. Freeholds had been multiplied by one generation of landlords in their own interests. The cottiers were evicted by another generation in the interests of the estate. Properties were cleared of superfluous people with as little pity as if the peasantry had been either rabbits or weeds. The ejected tenantry, finding no employers for their labour, crowded into the towns. It would have been almost as practicable for them to go to Jupiter as to have gone to Canada. Flocking into the towns they increased the evils which already existed. They rendered the habitations of those who received them more crowded; they disseminated disease; they resorted to theft and all manner of vice and iniquity to procure subsistence; a vast number of them perished from want.[1]

The disfranchisement of 40*s.* freeholders.

Its consequences.

It may, perhaps, be thought that Irish landlords, in clearing their estates, were only doing what English land-

1845, vol. xix. p. 35. The census of 1841 showed that of the whole rural population of Ireland 46 per cent. lived in a single room for each family. *Hansard*, vol. lxxxiii. p. 1051. The Devon Commission reported that $\frac{7}{10}$ of the Irish, and $\frac{2}{3}$ of the Irish in Connaught, lived in rooms unfit for human habitation. *Hansard*, vol. civ. p. 93.

[1] *Parl. Papers*, 1845, vol. xix. p. 19. It was incidentally stated by O'Connell in 1846 that 150,000 persons had been subjected to eviction processes from 1839 to 1843. *Hansard*, vol. lxxxv. p. 520. In this place, as in other places, I have endeavoured to weave the actual language of my authorities into the text.

CHAP. XIX. 1841.

lords would have done under like circumstances. But it should be recollected that there was a broad distinction between the two countries. In England the support of the poor was thrown upon the land. An able-bodied man with no means of subsistence had legal rights to relief. The landlord might eject his cottager, but he could be compelled to support him. In Ireland, on the contrary, the able-bodied poor had no legal right to relief. The ejected cottier, deprived of his only means of subsistence, had nowhere to apply for food. He could not obtain relief unless he was not merely starving but diseased. Ejectment in Ireland was, therefore, literally a sentence of death. The landlords who cleared their estates—and there were landlords who pulled down whole villages—destroyed their tenants' lives as effectually as if they had shot them at once.[1]

One generation of Irish landlords had multiplied freeholds and produced famine; another generation of Irish landlords evicted their tenantry, and produced a land question. From its very nature the land question soon took the lead of all other Irish questions. The Irish cottier could at any rate live under the supremacy of a detested Church, or beneath the shadow of an unreformed municipality. But the Irish cottier could not even live if he were divorced from the soil which gave him his precarious food. Centuries before a question not wholly dissimilar had arisen in England, and had been settled by the good sense of the people and the moderation of the great feudal proprietors of the soil. The villeins, holding under their lord, at their lord's discretion, had been turned into copyholders. Their arbitrary payments had been commuted into quit-rents; and a whole people had been quietly conceded fixity of

[1] The expression is Poulett Scrope's, in *Hansard*, vol. lxxxvii. p. 392. I refrain from giving the names of the landlords whom Poulett Scrope quoted as razing villages, '400 souls turned out upon the highway, not even allowed to rest in the roadside ditches.'

tenure. If the Irish cottiers could have been granted a similar boon, Ireland might have been pacified forty years ago. The boon was denied by the English nation, and Ireland refused to be contented with the doles of relief which were grudgingly meted out to her.

And throughout this time, while cottiers were being evicted by the score in every Irish county; while the ejected tenantry were dying by the score in the overcrowded towns; while the cry of a whole people was rising heavenwards; while the question of vengeance, 'What mean ye, that ye beat my people to pieces, and grind the faces of the poor?'—old as Isaiah, eternal as truth—was being repeated upon earth, Whigs and Tories were busily contending whether the land should be charged with 70 or 75 per cent. of the tithe; whether 8*l.* or 10*l.* householders should elect the governing bodies of a dozen Irish towns.

The agitation for the repeal of the Union.

In the meanwhile the reluctance or inability of the British legislature, to address itself to the vexed questions which were agitating Ireland, was inducing some Irishmen to conclude that redress was not obtainable from England. In consequence a desire gradually arose for a restoration of the Irish Parliament. Such a desire was not unnatural. The Union had followed the terrible cruelties which had attended the suppression of an Irish rebellion; it had been purchased by corrupting the representatives of a people, it had been followed by the reckless disregard of the promise which had been given by Pitt and Castlereagh. The wishes of five millions of persons had been sacrificed for the sake of satisfying the scruples of one old man whom birth had placed on a throne. Such conduct as this, from its very nature, could not be lightly forgotten or forgiven by the Irish. A minister who spends millions in corrupting a legislature, and who sacrifices a people for

CHAP. XIX. 1841.

the sake of a sovereign, entails endless evils on future ages. The Englishman who expresses surprise that the Irish should be desirous of Home Rule, should study the shameful page of his history which describes the manner in which the Union was effected in 1800.

Ever since 1800 the Irish had looked regretfully at the old constitution of which they had been thus deprived. But the repeal of the Union was only authoritatively demanded after the emancipation of the Roman Catholics in 1829. The folly which deprived O'Connell of the advantages which the Relief Act secured to future Roman Catholics, forced him to appeal again to his Irish constituents, and almost compelled him to commence a new agitation. Making one great triumphal progress through a rejoicing country, he undertook to repeal the Union. The British ministry, in settling one great Irish question, had originated a new one.

The agitation languishes from 1834 to 1841.

Yet the new movement which O'Connell thus originated languished for many years in obscurity. O'Connell advocated Home Rule to small audiences on the Corn Exchange at Dublin. But his audiences did not grow; they displayed no enthusiasm; the proceedings hardly attracted attention; and even the permanent officials of the Government saw without alarm the origin of the new movement. The dissolution of 1841 apparently pronounced its doom. Ireland, which at the General Election of 1834, had sent forty representatives to Westminster, pledged to repeal, scarcely chose a dozen Repealers in 1841. O'Connell himself was defeated at Dublin; one of his sons was beaten at Carlow; and the Irish boroughs generally preferred moderate supporters of the Ministry to the nominees of the great Irish agitator.[1]

For more than a year after the dissolution of 1841,

[1] Duffy's *Young Ireland*, pp. 34–43.

Ireland remained unexcited and undisturbed. Even the change of Government, and the transfer of power to Peel, did not rouse the people to a fresh agitation; and in the session of 1842 English Chartism attracted more attention than Irish Home Rule. In the autumn of 1842, however, a few young and obscure Irishmen determined to found a new newspaper. They called it the *Nation*. A love of the Irish nation was its motive, Irish nationality its object. A young man, who had already made his mark as a journalist, Charles Gavan Duffy, was the editor of the new paper. Another young man, Thomas Davis, was Duffy's principal assistant. Davis and Duffy were both impressed with a belief in Ireland's wrongs, and in the capacity of the Irish, if they were only true to themselves, to remedy them. These doctrines they enforced week after week in the columns of the *Nation*, both in poetry and prose.

The agitation revives in 1842.

The work that should to-day be wrought, defer not till to-morrow,
The help that should within be sought scorn from without to borrow.
Old maxims these, yet stout and true, they speak in trumpet tone,
To do at once what is to do, and trust ourselves alone.[1]

Appeals, made in such language as this, stir the blood forty years after they were written. Repeated week after week, they made a vivid impression on an excitable people. The heat which O'Connell had been unable to kindle at the Corn Exchange, was fanned by the writers of the *Nation*. O'Connell, who had only hitherto half-believed in the cause which he had originated, found himself forced forwards by younger Irishmen. The Repeal Rent, as the revenue of the Association was called, rose from 60*l*. to 300*l*. a week; the Dublin corporation resolved, after a great debate, to petition for Home Rule, and O'Connell, encouraged by the universal

[1] This, perhaps, the finest of the many fine songs in 'The Spirit of the Nation,' is by the writer who took as a *nom de plume* the name Sliabh Cuillin, and who was also the author of the grand denunciatory stanzas, 'The Union.'

CHAP. XIX. 1842.

enthusiasm, and over-confident in his own powers, openly declared that 1843 should be the Repeal year.

The universal enthusiasm justified his confidence. Peers and prelates, Protestants and Presbyterians, joined an association which had hitherto consisted of priests, tradesmen, and peasants. The *Nation* had vindicated its title, and combined the heterogeneous elements of Ireland into a consistent whole. The repeal rent, which had already risen from 60*l.* to 300*l.*, rose to 680*l.* in May, 1843.[1] A hundred thousand people assembled at Mullingar to listen to O'Connell. But this great meeting was soon exceeded. Half a million of persons was supposed to be present at Mallow in June. The repeal rent, which had already risen to 680*l.*, rose to 2,200*l.* A demand, which was being raised by the voices of millions, which was supported by the contributions of millions, seemed irresistible.

The doctrine of nationality.

Two circumstances were apparently favourable to the success of repeal. One of these was the remarkable alteration which had been effected in the policy of England during the preceding twenty years. England had definitely abandoned the policy of Castlereagh. She had, at Canning's bidding, adopted the new doctrine of nationality. In South America, in Belgium, in Greece, in Poland, the British people had either actively promoted, or found fault with their rulers for not promoting, the cause of nations. The principles which had thus modified the foreign policy of England had been successfully applied to British colonies; and the Canadians, who had been rebels in arms in 1837, held responsible office in an independent Canadian Government in 1842. If nationality were a good thing

[1] Duffy's *Young Ireland*, p. 191. Graham afterwards read an account of the Repeal meetings held in 1840 and 1841, to show that the movement had not originated '*Consule*' Peel. *Hansard*, vol. lxxii. p. 764. But the account in the text is substantially accurate. The rent never reached 200*l.* and did not average 100*l.* a week during the Melbourne Ministry.

in foreign nations or in British colonies, why was it a bad thing in Ireland? Irish orators and Irish writers could disinter the views of English statesmen from 'Hansard,' and found on them arguments for Home Rule in Ireland.

Father Mathew.

Political association had, moreover, been facilitated by the organisation of Ireland for a social object. A few years before 1842, a young Irish priest, Father Mathew, struck with the evils which habitual drunkenness was inflicting upon the people around him, preached the blessings of temperance in the South of Ireland. His mission succeeded; his gospel spread; and Father Mathew leaving Munster, where he had been born and worked, proceeded as an apostle of temperance throughout Ireland. Never did warlike conqueror achieve a success comparable with that of this humble priest. Public-houses were shut up, breweries and distilleries thrown out of work, the consumption of whiskey decreased by one-half. Two millions of teetotallers in Ireland embraced his principles. Crime diminished with the decrease of drink, and even the Irish Government formally acknowledged the benefits which temperance had conferred on Ireland. These benefits did not, indeed, please everyone. An Irish peer, formally complained in Parliament that the pledge was a piece of slip-slop—a Popish device. His opinions found no support even in the House of Lords; and a few years afterwards a Tory finance minister, who had personal experience of Ireland, admitted that on the preceding St. Patrick's Day there was not a single drunken man in the streets of several large towns.[1]

The social movement, which Mathew had promoted,

[1] Duffy's *Young Ireland*, p. 147. For Lord Westmeath's attack on Mathew, *Hansard*, vol. lv. p. 591. Carlyle wrote to his wife a striking description of Father Mathew's service, "I almost cried to listen to him. . . . I have seen nothing so religious since I set out on my travels, &c.' *Life in London*, vol. i. p. 315.

CHAP. XIX. 1842.

facilitated the course of the political movement which the *Nation* had excited. Men who had already experienced the advantages of one association readily formed themselves into a new society. At Mathew's preaching they had pledged themselves to temperance; at O'Connell's bidding they pledged themselves to repeal.

Victory, indeed, seemed imminent. A cooler head than O'Connell's might have been excused for believing that the men of Ireland, who flocked in their hundreds of thousands to Mullingar and Mallow, could not be refused. Foreign nations were already expressing their sympathy with the Irish. Men in the United States were threatening that an English invasion of Ireland would be followed by an American invasion of Canada. Advanced politicians in France were promising French assistance to the oppressed Irish.[1] Neither France nor the United States regarded England with much cordiality in 1843. There seemed, at least, a possibility that civil war in Britain would be followed by foreign war abroad. Could England even venture on civil war? The British army, it was remembered, was largely recruited in Ireland; and the Irish troops could not be trusted to fight against Ireland. A million of Irish were living in Great Britain ready to support their kith and kin by raising disorders in English towns. Had not emancipation been surrendered in 1829 to an association inferior to that which had been formed in 1843? Was not the same triumvirate, Peel, Wellington, and Lyndhurst, in office in 1829, which held the reins of government in 1843? Was there any reason for supposing that they would voluntarily commence a contest now from which they had shrunk then?

The position of Peel.

These arguments convinced the heedless thousands to whom they were addressed. They possibly even satisfied the orators and writers who employed them.

[1] Duffy's *Young Ireland*, pp. 316, 321.

Yet they ignored one distinction which ought to have been plain. In 1829, Peel had to deal with a House of Commons in favour of the emancipation of the Roman Catholics. In 1843, Peel could reckon on a House of Commons prepared to maintain the Union at all hazards. In 1829, he could not hope to obtain coercive measures without conceding emancipation. In 1843, he was certain of obtaining any repressive laws which he proposed without conceding anything. Thus the attitude of the House of Commons in the one year suggested a policy of surrender: the attitude of the House of Commons in the other year suggested a policy of resistance. It would be unjust to the memory of a great man to ascribe his conduct to expediency. But it is none the less certain that the composition of the House of Commons made it expedient for Peel to concede emancipation in 1829 and to refuse repeal in 1843.

For some weeks, indeed, after Parliament met in 1843, the great movement which was agitating Ireland attracted but slight attention. It was only in the last days of April that Lane-Fox, who sat for Ipswich, announced his intention of proposing a motion to put a stop to the agitation. He was at once met by Smith O'Brien, an Irish gentleman of ancient descent and moderate opinions, with an amendment pledging the House to maintain the Union, but to redress the well-founded complaints of the Irish people.[1] Twelve days afterwards, an Irish peer, Lord Roden, asked Wellington in the Lords—Lord Roden's son, Lord Jocelyn, asked Peel in the Commons—whether the Government was prepared to take steps for the suppression of agitation in Ireland. This family attack led to a memorable result. 'Wellington replied to Roden by reading the address of the Lords in 1834, declaring their fixed

[1] *Hansard*, vol. lxviii. pp. 1001, 1027.

CHAP. XIX. 1843.

determination to maintain unimpaired and undisturbed the legislative union between Great Britain and Ireland.' Her Majesty's Government, he added, agreed with this declaration and would invariably act upon it. Peel replied to Jocelyn by reading the speech from the throne in the same year—'I have seen, with feelings of deep regret and just indignation, the continuance of attempts to excite the people of Ireland to demand a repeal of the legislative union. This bond of our national strength and safety I have already declared my fixed and unalterable resolution, under the blessing of Divine Providence, to maintain inviolate by all the means in my power'—and by adding, in language of doubtful propriety, that he was authorised, on the part of Her Majesty, 'to repeat the declaration made by King William.'[1] Irishmen would hardly have been human if they had submitted in silence to this language. William IV.'s memorable declaration had elicited an eloquent rebuke from Grattan in 1834.[2] Redington, an Irish member, who subsequently held a position of trust in the Irish Government, recollecting that William IV., in taking his stand on the Union, had expressed his anxiety 'to assist in removing all just causes of complaint, and in sanctioning all well-considered measures of improvement,' inquired whether Peel was authorised to repeat the declaration also. Peel, in general terms, replied that it was the wish of the Government to administer the affairs of Ireland with forbearance, moderation, impartiality, and justice; and to do nothing inconsistent with the just rights of the Irish people.[3]

Sugden and the Irish magistrates.

Yet, at the time at which this declaration was made, a step was about to be taken which savoured little of forbearance, moderation, impartiality, and justice. Sugden, who had become Chancellor of Ireland on the

[1] *Hansard*, vol. lxix. pp. 9, 24. [2] *Ante*, vol. iii. p. 241.
[3] *Hansard*, vol. lxix. p. 331.

formation of Peel's Ministry, placing his own construction on the declarations of Wellington and Peel, determined on dismissing all magistrates who ventured on attending Repeal meetings. He actually superseded a Galway magistrate, Lord Ffrench, for intending to be present at meetings at Caltra and Athlone. This proceeding led the Government into fresh embarrassments. Smith O'Brien, Grattan, Sir R. Musgrave, Lord Cloncurry, and other Whigs retired from the Commission of the Peace. Alarmed at these resignations, and the criticisms which were passed on his conduct, Sugden did not venture to carry out his threat, and several magistrates attended Repeal meetings, and were not removed from the Commission of the Peace by the Chancellor of Ireland.[1]

The sword which Sugden had drawn had broken in his hand; the step which he had taken had driven scores of Irish gentlemen, hitherto ranged on the side of order, into alliance with the Repealers. A far more significant measure had, however, in the meanwhile, been introduced by the Irish Government. In the course of May, Eliot, the Irish Secretary, introduced an Arms Bill. For nearly fifty years a series of Arms Acts had been continuously in force in Ireland. The condition of the country made their continuance intelligible. Hardly a month, hardly a week, passed without the occurrence of some outrage showing the little respect which the Irish entertained for life or property. Men were shot; houses were attacked or fired; arms were seized; assaults were committed; cattle were houghed; and stacks were burned by bands of men, whom it was difficult to detect, and still more difficult to convict of the crime. It is the first function of government to preserve order; and Whigs and Tories were

The Arms Bill.

[1] *Hansard*, vol. lxix. pp. 922, 982, 1064, and cf. Duffy's *Young Ireland*. pp. 250, 262.

CHAP. XIX. 1843.

equally agreed in concluding that order was impossible if the use of arms were unrestricted. Acts regulating the importation and registration of arms had been passed by the Irish Parliament in 1793 and 1796, and had been renewed by the Imperial Parliament from time to time. The first measure which had received the assent of the Imperial legislature had been prepared by the Talents Administration, and adopted by the Tory Government which succeeded it. The last measure on the subject had been introduced by Morpeth in 1838, and passed without discussion and without notice. The change, which had since affected the feelings of the Irish, made it probable that even Morpeth's Act would not be renewed without debate. But a mere continuance bill might perhaps have been passed without much observation. With extraordinary folly the Ministry decided on strengthening its machinery by amending the Act which they had the opportunity of simply continuing. For the sake of securing a few additional precautions, it exposed itself to a bitter and protracted opposition.[1]

This opposition was doubly inconvenient because it was conducted by moderate men. O'Connell and the Repealers, despairing of Parliamentry help, were absent in Ireland, and the objections made to the Arms Bill were raised by men who, like Smith O'Brien, still clung to the connection with England, or, like Redington, were ultimately to receive office in the service of the State. The Arms Bill, it was argued, was unconstitutional; it was diabolical. Even Castlereagh, when he

[1] The main provisions of the bill, which were thus introduced, were very simple. No one in Ireland was to be allowed to carry arms, to sell arms or gunpowder, or to ply the trade of a smith without a licence. No licence to carry arms could be granted except on a recommendation of two householders; a smith's licence was forfeitable on his conviction of any misdemeanour; licensed arms were to be distinguished by a brand; and the constabulary were authorised to search night or day for unbranded arms.

framed the Six Acts, had not ventured on proposing such a measure. Old as tyranny, it was the work of tyrants. The Saxons had applied to Ireland the legislation by which the Philistines had endeavoured, 3,000 years before, to crush the Israelites. To carry arms was the inherent right of every freeman; but arms, which were needless elsewhere, were necessary in Ireland; and in practice the bill would disarm the Roman Catholic cottier and leave his wealthier neighbour armed. It disarmed the victim without hindering the assailant. True, it was a mere continuance of previous legislation. True, the very man who was foremost in attacking it had supported the bill of 1838. It was one thing to place such a measure in the hands of Melbourne and Normanby, it was another to entrust it to Peel and De Grey. England, only a year before, had been the scene of an armed organisation of Chartists; Wales, at that very moment, was the theatre of outrages, committed under the directions of a secret association of men in disguise. Yet the Ministry had not proposed an Arms Bill for England in 1842, it was not proposing an Arms Bill for Wales in 1843. Why were the old expedients of tyranny to be reserved for Ireland alone? Why, if the ordinary laws were strong enough for Chartists in England, and Rebeccaites in Wales, was it necessary to resort to exceptional legislation in Ireland? The Union could be defended if Celt and Saxon were governed on the same principles. The Union became, as O'Connell called it, a living lie if one law was in force in England and another law thought good enough for Ireland.[1]

[1] *Hansard*, vol. lxix. pp. 1042, 1100, 1128, 1129, vol. lxx. pp. 275, where the arguments summarised in the text will be found. The Rebecca riots, which broke out in Wales in 1843, and which furnished the Irish members with a telling argument, were of a very extraordinary character. Armed bodies of men, led always by a man in woman's clothes, and frequently disguised themselves as women, attacked and pulled down the turnpike gates in Central and South Wales. These bands took the name of

CHAP. XIX. 1843.

Vigorous arguments of this character were employed again and again during the progress of the measure. But they fell like idle words on the ears of the Tories who supported Peel. The second reading of the bill was carried on the last day of May.[1] But the real struggle only commenced with this victory. Debate after debate led to division after division. The bill, which had been introduced in May, did not pass the Commons till the beginning of August. It did not pass the Lords till the end of a protracted session.[2]

The policy of coercion.

These debates had made it plain to every Irishman that the Ministers might rely on the support of the Legislature in any measures of coercion. Estimable country gentlemen, who would have resisted an attempt to revive the Six Acts, passed an Arms Act at the bidding of the Irish Government. Nor, even now, is it plain that they were unwise in their generation. A country may be governed, as England governs India, by a race or class, superior in organisation and education, imposing its decrees on a subject population. Such a government may be just or unjust, brutal or popular. But, just or unjust, brutal or popular, it rests on the solid foundation of force. A country, on the other hand, may be governed—as England and the United States are governed—by representatives, periodically elected by its people, and reflecting their

Rebeccaites from a verse in Genesis, in which Rebecca is promised that her seed shall possess the gate of her enemies. The riots were ultimately put down, or rather ceased when the obnoxious gates had been destroyed. But the leaders of the movement were never discovered, and the few persons who were arrested were treated with leniency. The Government, moreover, had the good sense to issue a commission to inquire into the cause of the riots; and, on ascertaining that the tolls were excessive, to amend the law instead of rebuilding the gates. Hence, Central and South Wales were relieved from the pressure of turnpike tolls more than a quarter of a century before they were abolished in other parts of the country. Successful organisation of this character is certain to be imitated. Rebecca still maintains her sway in Central Wales. But her attacks are now made upon salmon, and not upon turnpikes.

[1] *Hansard*, vol. lxix. p. 1217. By 270 votes to 105.

[2] *Ibid.*, p. 1578, and vol. lxxi. pp. 470, 912.

opinions. In such a government the will of the people—that is, the majority of the people—is the sole ultimate law. A mean between these two forms of government may be attempted, but is not likely to endure. Such a mean has existed for eighty years in Ireland. Nominally an integral part of the United Kingdom, she has sent her representatives—a 100 and a 105 at a time—to the British House of Commons. Her representatives have uniformly found that their ideas were not English ideas; that their proposals for promoting their country's good were continually thwarted by English and Scottish members. They have consequently remained an impotent minority in a dominant assembly, unable to regulate business, able only to delay it; and the majority, conscious that representation in Ireland was a mockery, a delusion, and a snare, has resorted to the old machinery of force, the constant expedient of despotism.

Even in 1843, however, some members clung to the hope that the Legislature might sanction a measure of justice, and that Ireland, governed on Irish ideas, might become a willing member of the United Kingdom. It fell to the lot of Smith O'Brien to give expression to this hope. In a speech, which received unbounded praise for its moderation, he described the wrongs of his fellow-countrymen. The sins, which England committed towards Ireland, were sins of omission and commission. The head and front of her offending was the maintenance of the Church of a minority, the neglect of the Church of the majority. But this gigantic injustice permeated the whole system. Since Peel had been in power, every important office had been filled up with Protestants; many important offices had been given to Protestant Englishmen; only three subordinate situations had been reserved for Irish Roman Catholics. On the same principle of distrusting the Irish Roman Catholics, the parliamentary and municipal franchise in

Smith O'Brien.

CHAP. XIX. 1843.

Ireland had been limited by restrictions, and the number of voters was in consequence annually decreasing. The neglect which the Roman Catholics experienced was, however, supplemented by other acts of injustice. Ireland was taxed—Smith O'Brien thought inordinately taxed—for the support of the British Government. But the money which was drawn from Ireland was expended in England.[1] The drain of wealth, which was thus exhausting the poorer country, was increased by the rents of the absentee landlords, who, aliens in race, in language, and in creed, had no common bonds of sympathy with their wretched peasantry. These various sources of discontent were not destroyed by any compensating advantages. The sins of omission, indeed, supplemented the sins of commission. An Irish Parliament would undoubtedly have dealt with the complicated question of tenant-right. The British Parliament had not even contemplated its consideration. An Irish Parliament would have adopted some scheme for introducing railways into Ireland. The British Parliament had rejected the scheme which had been proposed for the purpose. The Irish Roman Catholic, therefore, convinced by the experience of a bitter past that he could gain nothing from England, placed his hopes on the possible restoration of the Irish Parliament. The cry for repeal, said O'Brien, was not the voice of treason, it was the language of despair.[2]

But O'Brien spoke in vain. The House, rallying in support of the Union, was determined to prefer coercion to concession. Five long nights were passed in discussing O'Brien's thesis. At the close of the fifth night O'Brien was defeated.[3] A few weeks afterwards, Ward, who had originated the Appropriation Clause of

[1] The argument is O'Brien's. As a matter of fact, however, it is very doubtful whether the taxation, drawn from Ireland, has ever done much more than pay the cost of governing and garrisoning Ireland.

[2] *Hansard*, vol. lxx. p. 630.

[3] By 243 votes to 164, *ibid.*, 1088.

1834, formulated the chief of the Irish grievances in an address for such a settlement of Church property in Ireland as would remove all just grounds of complaint. Ward had, at any rate, displayed the courage to propose a real measure of relief. The men, however, who formed the House of Commons in 1843, did not think his arguments worth consideration. There were not even forty members who would trouble themselves to maintain a House on a debate of the first importance to their Irish fellow-subjects; and, on the second night of the discussion, the House was counted, and the motion was lost.[1]

Troops in Ireland.

The Ministry had, in fact, chosen its part. The restoration of order was to precede the redress of grievances; and preparations had already been made, which were reassuring its supporters. Thirty-five thousand troops were quartered in Ireland, a war squadron was stationed on her coasts, the barracks were turned into fortresses, and Ireland was thus converted into a country occupied by a military force.[2] Every accession to the number of the repealers was followed by fresh additions to the troops at the disposal of the authorities. The session closed on the 24th of August, and the Queen was advised to express her concern at the persevering efforts made to stir up discontent and disaffection, and her

[1] *Hansard*, vol. lxxi. pp. 118-219. In the course of his speech on this motion Ward said that Lord R. Tottenham, when he was made Bishop of Killaloe, at the time of the Union, had never read prayers, had never preached, had never baptized—in short had never performed any of the offices of his holy calling; but his father, Lord Ely, had six votes, and his nominees had given them for the Union, and the price of the six votes was a bishopric worth 9,000*l.* a year. *Ibid.*, p. 145. It appears, from the same debate, that Stewart, Archbishop of Armagh, left 300,000*l.* behind him, and Porter, an Irish bishop, 200,000*l.* Mrs. Porter had a great passion for gold, and the bishop consequently declined to accept his rents in paper. On rent-days there was always a gentleman in another room, ready, for a consideration, to accommodate the tenants with gold, 'so that a single bag of gold travelling in at one door and out at the other, brought in a handsome return to the bishop.' *Ibid.*, p. 145.

[2] Duffy's *Young Ireland*, p. 353, and cf. *Hansard*, vol. lxix. p. 1239.

CHAP. XIX. 1843.

determination, under the blessing of divine Providence, to maintain the Union inviolate.[1] Yet, for more than six weeks after the Speech was read, the Ministry quietly continued its preparations and made no sign. The man, who was regulating the military portion of the business, had quietly waited years before in Torres Vedras, and had allowed time to illustrate the perfection of his strategy. H would not allow himself to be precipitated into action by the progress of the repealers and the taunts of O'Connell.

The meeting at Clontarf prohibited.

The hill of Clontarf rises on the north side of the Bay of Dublin. It overlooks the city which has for centuries been the capital of the Irish nation, and the beautiful bay which has been the constant subject of Irish song. But, even before the smoke cloud which shrouds the joys and sorrows, the hopes and disappointments of a populous city, the Irishman at Clontarf can only think of the past. It was at Clontarf that Brian Boru won his crowning victory, and secured his country's independence. Was it not possible—so thought the Irish—to win a second, and a greater, victory on the same historic field? Could not the Irish, assembled in tens and hundreds of thousands at Clontarf, conclude the agitation which had been successfully conducted, and demand, in a tone which would brook no refusal, the future independence of their country? The arrangements were made: Sunday, the 8th of October, was fixed for the meeting. Everything pointed to a mighty gathering. The people in their thousands were rolling towards the city, when a notice in the *Gazette* forbade the meeting and cautioned all persons against attending it.[2]

The notice was unexpected; the Repealers hastily met to consider what they should do. In the opinion

[1] *Hansard*, vol. lxxi. p. 1009. Duffy's *Young Ireland*, p. 369.
[2] *Ann. Reg.*, 1843, Hist., p. 234.

CHAP. XIX. 1843.

of the younger and more daring members of their party only one course was possible. O'Connell had promised, over and over again, to take no step which would lead to civil war; but he had pledged himself repeatedly to resist any attempt to quell the agitation by force. 'I for one defy all the Ministers of England to put down the agitation in the diocese of Ardagh,' so he had said at Mullingar. 'Let their enemies attack them if they dare'—such had been his words at Cashel. 'If the British Government were to use force against them, to trample on their constitutional rights, setting the law at defiance, and thus throw them on their own defence, they would be glad, in such an event, to get allies and supporters everywhere,'[1] The enthusiasm with which these declarations had been received had committed the Irish generally to the opinions of their leader; and the younger men of the party, at any rate, were determined to follow up brave words with brave deeds.

We must not fail, we must not fail, however force or fraud assail;
By honour, pride, and policy, by heaven itself we must be free.
We promised loud, we boasted high, to break our country's chains or die,
And should we quail, that country's name will be the synonym of shame.[2]

There could be no reasonable doubt that, if Davis and Mr. Duffy had regulated the policy of the repealers, the notice of the Government would have been disregarded, and the Clontarf meeting would have been held.

O'Connell shrinks from the contest.

The Repealers, however, were nothing without O'Connell; and O'Connell shrank from the decisive step which was, perhaps, the logical consequence of his agitation. He hurriedly decided to abandon the meeting. He persuaded his fellow-agitators to enjoin obedience

[1] Cf. *Ann. Reg.*, 1843, Hist., p. 228, and Duffy's *Young Ireland*, pp. 245, 249, 324.

[2] Duffy's *Young Ireland*, p. 377.

CHAP. XIX. 1843.

to the orders of the Government. And so, when the morning broke, on which the people were to have assembled in their hundreds of thousands, the site of Brian Boru's victory was only occupied by the troops of the British nation. Eight centuries before Ireland had been won at Clontarf. And now, in 1843—so younger and more energetic Irishmen complained—she was to be lost at Clontarf.[1] O'Connell, it was clear, had been playing a game of brag with Peel; and Peel had won the game.

O'Connell had saved the Government from a second and a greater Peterloo. He possibly expected that his moderation would earn its gratitude. But the Government, instead of acknowledging O'Connell's services, was only eager to follow up its victory. A week after the prohibition of the meeting, O'Connell and his leading colleagues were arrested, on a charge of conspiracy and sedition.[2] It was obvious that the Ministry had rejected all idea of compromise, and was bent on crushing out Repeal.

The trial of O'Connell.

The story of O'Connell's trial is not a satisfactory one for an Englishman to write. The Sheriff was appointed by the Crown; it rested with the Sheriff to prick the jury by which the prisoners would be tried. Technically the special jury list, from which the jury should have been taken, ought to have included the names of all Dublin householders liable to serve. As a matter of fact it only included 388 names; and of these 388 persons, 70 were disqualified by age, infirmity, or some other reason; among the remaining 318 there were only 23 Roman Catholics. The Crown lawyers hesitated to try O'Connell before a jury selected out of such materials; and the trial was postponed till the following February, in order that a revised jury-list might be in operation. The revised list contained 717

[1] Duffy's *Young Ireland*, p. 370. [2] *Ann. Reg.*, 1843, Hist., p. 237.

names, but 60 qualified persons were omitted from it. The Chief Justice of the Queen's Bench in Ireland thought that the omission did not vitiate the array; and O'Connell was accordingly tried by a jury chosen from an admittedly defective list. In forming a special jury 48 names are drawn from the whole number on the list; each side has a right of objecting to 12 names; of the remaining 24, the 12 who first answer to their names in court constitute the jury. Among the 48 jurors drawn in O'Connell's case there were 11 Roman Catholics. In a country in which the Roman Catholics were to the Protestants as 7 is to 1, they stood on the jury as 1 is to 4. But the Crown solicitor was not satisfied with this advantage. He objected to every Roman Catholic in turn. 'The most eminent Catholic in the empire, a man whose name was familiar to every educated Catholic in the world, was about to be placed upon his trial in the Catholic metropolis of a Catholic country, before 4 judges and 12 jurors among whom there was not a single Catholic.[1] 'If it is possible that such a practice should be allowed to pass without remedy'—such was the striking commentary of the Chief Justice of England—'trial by jury will be a mockery, a delusion, and a snare.'[2]

Flagrant as was this injustice, it was exceeded by another: O'Connell was tried on eleven counts. The counts contained 57 folio pages; the whole indictment was nearly a hundred yards long. The 'stupendous document raised so many issues that to answer it, or even to understand it, was difficult.'[3] The confusion which it created was afterwards severely condemned by the Chief Justice of England. Some of the counts of the indictment were bad in law; the charges on some of them were not proved. Some of the defendants were

[1] Duffy's *Young Ireland*, p. 412, and Arnould's *Denman*, vol. ii. p. 173.

[2] Arnould's *Denman*, p. 176.

[3] Duffy's *Young Ireland*, p. 398.

CHAP. XIX. 1843.

convicted on only one count, some on several counts, some on all the counts; yet the court proceeded to pass sentence without distinguishing between these details; and, by doing so, it again exposed itself to the severe reproof of the Chief Justice of England. 'This is no technical objection,' so Denman argued. 'So far from being merely technical, it may involve the greatest injustice, because you may inflict the heaviest punishment for the lightest offence, or indeed for that which may turn out to be no subject of punishment at all. To pass sentence for three offences when a party is convicted of only two, cannot be right.'[1]

His conviction.

Yet the Government had obtained a victory. With the aid of a defective panel, and a Protestant jury; with the aid of judges tainted with the partiality which disgraced Ireland, it had succeeded in obtaining a verdict against O'Connell and his colleagues. An appeal lay against that verdict, indeed, to the House of Lords. But, even the men, who advised that the appeal should be made, did not venture on anticipating its success. The political opinion of the Lords was opposed to the political opinion of O'Connell: and it seemed hopeless to expect that an assembly, composed of Tories and animated by Tory views, would allow the great agitator to escape. The appeal, however, was made. The Lords, before giving judgment, took the natural and dignified step of seeking the opinions of the English judges. Their views deprived O'Connell's friends of the little hope which they still retained. A majority of the judges thought that the defects in the panel and in the indictment did not invalidate the judgment, and that the decision of the Court of Queen's Bench in Ireland ought consequently to be confirmed.[2]

[1] *Denman*, vol. ii. p. 180.

[2] The judgment of the House of Lords was given on the 4th of September, 1844. Parliament had been adjourned from the 9th of August to the 5th of September, to

Nothing seemed wanting but the formal endorsement by the Lords of the views of the judges. Technically, in 1844, the vote of one peer was as good as that of another peer on such a matter. But it had been the practice on occasions of the kind for the lay lords to leave the decision to the law lords. Hotheaded Tories in 1844, indeed, thought that this practice should not be observed in such a case as O'Connell's. They claimed to revive an obsolete privilege for the sake of destroying a political opponent. Happily for the credit of the assembly in which they sat, they were prevailed to retract these indecent pretensions, and to leave the decision to the law lords, who alone had the knowledge and the training which qualified them to pronounce it. Only five lords learned in the law —Lyndhurst, Brougham, Cottenham, Denman, and Campbell—had heard the whole case. The two first, one a Tory, the other a Whig who had passed over to the Tory ranks, voted for upholding the judgment. The three last, all Liberals, voted for reversing it. The decision, of course, followed the majority, and the judgment was reversed.

The judgment reversed.

The decision was a surprise to the numerous people who had imagined that it was certain that the judgment would be sustained. The conduct of the Lords—so they argued—had illustrated the love of justice inherent in Englishmen. The Peers had sacrificed their own prejudices to a sense of duty. 'L'Angleterre,' wrote a distinguished foreigner, 'avait remporté la plus belle des victoires : elle s'était vaincue elle-même : elle avait immolé sa passion, son intérêt, ses préjugés, ses ressentiments les plus invétérés et les plus naturels, au culte de la tradition, aux raffinements de la liberté, à la noble superstition du droit.'[1] The congratulations, in which Montalembert

allow time for the opinion of the judges to be taken, and it was prorogued on the 5th. *Hansard*, vol. lxxvi. p. 1997.

[1] Montalembert, *De l'avenir politique de l'Angleterre*, p. 151.

CHAP. XIX. 1844.

indulged, have been echoed by English writers who did not enjoy his eloquence; and probably most Englishmen still regard the decision of the Lords as a striking example of the impartiality of the highest appellate court. Yet the inquirer, who ventures to look below the surface, will at once observe that the law lords voted as they would have voted on any party division; and he will consequently infer that the judgment was reversed from no inherent sense of justice among the Lords, but from the accidental circumstance that three out of the five law lords were members of the Liberal party. If the first Lord Tenterden had died two years sooner, and had been succeeded by a Conservative Chief Justice instead of by Denman; if the first Lord Eldon had survived till 1844; nay, if a great Irishman had not been removed from the Irish Chancellorship to make room for the Whig Attorney-General of a falling Whig Ministry, the decision on O'Connell's case might have been different. On such moving accidents as these did the judgment of the highest appellate court depend.

The effect on Ireland.

Yet the decision was attended with one circumstance which renders it grateful to the memory. It did more than all the troops in Ireland to terminate the agitation for repeal. Kindled by injustice, the flame died out when justice was done. The Rent fell off; the circulation of the *Nation* decreased; the lustre of O'Connell's name paled. The liberation of the great agitator from gaol almost terminated his political career. For a few years more, indeed, he remained among his fellow-countrymen in Ireland, or among his parliamentary friends in London. But his reputation was broken, his health was impaired. The building was mouldering away; the ruin only reminded men what the building had been. It seems possible that the slow disease, which was to subdue at length, had affected O'Connell's vigorous understanding before he yielded to authority and

abandoned the demonstration at Clontarf. But a few years passed before the progress of his malady shattered his strength, and forced him to seek repose and change in a more genial climate. The change came too late. The disease which had seized him was one from which there was no recovery; and O'Connell, though he reached the sunny shores of Italy, reached them only to die. His death took place in Genoa, in 1847, and, in accordance with his will, his body was carried to Ireland, his heart to Rome. The last will of the Irish agitator throws a doubt upon his whole career. Patriotism is one of the noblest influences which can regulate the life of man. But the patriot, like the lover, must owe no divided allegiance. O'Connell, while he was suffering imprisonment for his country's sake, was passionately in love with a young girl;[1] and his will proved that his heart, which his friends thought had beat for Ireland alone, was yearning for Rome.

O'Connell's death.

O'Connell's death thus detracts from the consistency of his career, and throws a doubt on the genuineness of his opinions. In every other respect his character stands forth in singular relief. His portrait is painted in strong light and deep shadow, and the half-tones, which subdue other pictures, are absent from the likeness. An Irishman who gazes upon it is apt to be dazzled by the light, an Englishman is liable to be frightened by the shadows; and both English and Irish, in reproducing it, run the risk of turning it into a caricature. Yet the reader who will study O'Connell from a neutral standpoint will place him on a level with Grattan, and on a niche above any other Irishman. Centuries hence he will be recollected for the success which he achieved in 1829, and for the failure which he encountered in 1843; and men may then forget that the failure was

His character.

[1] Duffy's *Young Ireland*, p. 530.

CHAP. XIX. 1844.

sustained by the old man of seventy, and that the victory was gained by the mature man of fifty-six.

Peel's Irish policy.

O'Connell's trial, and the events which preceded it, forced the Government to review its Irish policy. For the first time since Peel had been Prime Minister he deliberately set himself to examine the Irish problem, and to probe the cause of Irish agitation. There was, indeed, some difficulty in determining what the Irish question was. 'One said it was a physical question; another, a spiritual; now it was the absence of the aristocracy, then the absence of railroads. It was the Pope one day, potatoes the next.'[1] Graham, in 1843, had unnecessarily declared that concession had reached its utmost limits. Notwithstanding this declaration, the Government, in 1844, attacked the main cause of difficulty by the appointment of a commission to inquire into the condition of the Irish occupiers.[2] But the action to which Graham was thus a party in 1844, and which contradicted the opinion which he had expressed in 1843, was not sufficient. Enquiry from its very nature would occupy time, and the general feeling of Parliament was in favour of an immediate remedy. Normanby, speaking with the experience of an ex-Viceroy and of an ex-Secretary of State, asked the Lords to pledge themselves to take the earliest opportunity of investigating the causes of Irish discontent. On the same evening, Russell, in the House of Commons, asked for a committee of the whole House on Ireland. Normanby's motion produced only a comparatively feeble discussion. Russell's action, on the contrary, led to a nine nights' debate. On the third night of it, O'Connell, just convicted by the Dublin jury, entered the House. The man, who had been convicted of treasonable conspiracy at Dublin, was greeted with

[1] Disraeli, *Hansard*, vol. lxxii. p. 1016. [2] *Ibid.*, vol. lxxii. p. 5.

cheers at Westminster;[1] and the applause with which he was received, and which temporarily interrupted the debate, must have convinced every member of the Government that a judicial victory had not terminated the Irish question.

Railways in Ireland.

There was one measure which many people thought might be taken to improve the condition of the Irish. The Whig Ministry, in the course of 1836, had appointed a small commission[2] to consider the possibility of introducing railways into Ireland. The Commission recommended the construction, at public cost, of three great arterial lines: (1) From Dublin to Cork, with branches to Kilkenny on one side and Limerick on the other; (2) from Limerick to Waterford; (3) from Dublin to Enniskillen. It entered into elaborate calculations to prove that these lines could be constructed for a comparatively moderate sum and that they were likely to prove remunerative. The Commission dealt with such great matters as the communication which it was hoped to establish between Cork and New York; and with such comparatively small matters as the gauge of railways. Morpeth, in 1839, introduced a plan for giving part effect to these recommendations, by the construction of a line from Dublin to Cork. A railway, which was of no immediate or prospective advantage to either Ulster or Connaught, did not satisfy the members for either of these provinces. It did not, therefore, receive any unanimous support in Ireland. Tory politicians in England regarded it with much suspicion. If the commissioners were right, and the line was likely to be remunerative, there did not seem any reason for Government departing from its usual course

Morpeth's Bill of 1839.

[1] For O'Connell's reception, *Hansard*, vol. lxxii. p. 929, note.

[2] The commission consisted of Drummond, the permanent Under-Secretary at Dublin; Sir John (then Colonel) Burgoyne; of Barlow, Professor of Mathematics at Woolwich; and of Griffith, the author of Griffith's 'Valuation.'

CHAP. XIX. 1844.

and superseding private enterprise. If, on the contrary, the railway was unlikely to succeed, the Ministry was committing the country to a vast unprofitable expenditure. Peel expressed his doubts; Morpeth saw that his scheme was doomed. The events of 1839 made its success hopeless. A Ministry which was saved from extinction by the Sovereign's reluctance to part from the ladies of her bedchamber could not venture on persisting in measures of doubtful propriety. Nothing more was heard of Morpeth's proposal. But Ireland—unfortunate as usual—was permanently poorer. Private enterprise shrank from attempting works which Government contemplated constructing at public cost.[1]

His conduct in opposition made it impossible for Peel to propose the construction of Irish railways at public cost. His conduct in office, in issuing a Land Commission, compelled him to wait for the commissioners' report before dealing with the land question. He was, therefore, temporarily precluded from healing the true sore of Ireland, and was forced to resort to less efficient measures of relief. Graham pledged the Government to increase the Education grant, to enable the Roman Catholics to receive gifts and hold property in trust for charitable and religious uses, to extend the county franchise, and to make the payment of the poor-rate alone the qualification for the exercise of the borough franchise.[2] These reforms, so far as they went, were desirable enough. The only objection to them was that they went a very little way. In one point, indeed, the promise of the Government was more than fulfilled. The exclusively Protestant body which hitherto had taken charge of charitable bequests in Ireland, was abolished; a new Commission was appointed; one-half of the new Commission consisted of Roman

Charitable Bequests Act.

[1] *Parl. Papers*, 1837–38, vol. xxxv. pp. 451, 491, 504, 525. For the Parliamentary proceedings on Morpeth's proposal, *Hansard*, vol. xlv. pp. 1051, 1060, 1077, 1082, 1102.

[2] *Ibid.*, vol. lxxii. p. 781.

Catholics; the secretary was a Roman Catholic; an Irish Roman Catholic was enabled to provide a permanent endowment fund for the support of Roman Catholic Ministers and the building of Roman Catholic chapels.[1]

Changes in the Irish Government.

Everyone, however, felt that this measure was little more than tentative; and a change in the Irish Government facilitated further legislation. De Grey, who had been Viceroy since the formation of Peel's ministry, was ill, and anxious for relief. He retired and was succeeded by Heytesbury, a peer, who had served his country at Naples, at Madrid, and at St. Petersburg, who had been appointed Governor-General of India in 1835, but had been superseded, on the fall of Peel's ministry. In the course of the following winter, Lord St. Germans died; Eliot, the chief secretary, succeeded to the peerage, and necessarily retired from the Chief Secretaryship. Peel promoted Sir Thomas Fremantle, the Secretary at War, to the office.[2] The two chief political situations in the Irish Government were, therefore, occupied by new officials at the commencement of 1845; and Peel had the advantage of colleagues free from any preconceived notions of Irish policy. His own mind was already made up. Towards the close of the session of 1844, he undertook to supplement the Charitable Bequests Act with a measure dealing with higher education in Ireland. Means were to be found, in some way, for the education of the upper classes of the Irish, and for the more efficient education of candidates for the Roman Catholic priesthood.[3]

Some provision already existed for the education of the Irish people. Trinity College, with its considerable endowments, afforded opportunities to wealthy Irish. The National Board, which Stanley had instituted, had

[1] *Hansard*, vol. lxxix. p. 1027.

[2] Sir E. Fremantle was made Secretary to the Treasury in 1841; he succeeded Hardinge at the War Office in 1844, on the latter's appointment as Governor-General of India.

[3] *Hansard*, vol. lxxvi. p. 1132.

CHAP. XIX. 1844.

under its control 3,153 schools, and 395,000 scholars.[1] But Trinity College retained most of its advantages for the benefit of its Protestant students, and the 395,000 scholars, whom the National Board was educating, did not, after all, include one person in every twenty alive in Ireland. The Roman Catholic, since 1793, had been allowed to graduate at Trinity; but he could hold neither scholarship nor professorship. The Roman Catholic, who could not afford to enter a university which took from him all his fees, and withheld from him all its prizes, had no adequate means of obtaining a satisfactory education. Some steps had, indeed, been taken for the education of the Roman Catholic priesthood. In 1795, Fitzwilliam had proposed, and his successor, Camden, had approved, the appropriation of an annual sum of money to a college formed at Maynooth for the education of Roman Catholic priests. The Irish Parliament had readily sanctioned the scheme; the payment of the grant had been continued, after the Union, by the Parliament of the United Kingdom, and, though the sums voted had been reduced to 9,000*l.* a year in 1808, this amount had been thenceforward regularly allotted to Maynooth. In some respects the grant was actually disadvantageous to the college; it was too small to maintain the institution; it was large enough to discourage voluntary contributions. The surroundings of the college were squalid; its professors were wretchedly paid; it was even impossible to assign to each of the 440 students a separate room; it was dubbed by Macaulay, in a memorable speech, a 'miserable Dotheboys' Hall,' and it was Peel's deliberate opinion that the absolute withdrawal of the grant would be better than the continuance of the niggardly allowance.[2]

Maynooth.

[1] The figures are Graham's, *Hansard*, lxxx. p. 351.

[2] Macaulay's speech is in *Hansard*, vol. lxxix. p. 649, and in p. 366 of his speeches. The speech, as it was published, affords an excellent proof of the care with which Macaulay edited his speeches. It differs, in

In dealing, therefore, with Irish education, the Government had two problems before it. It had to provide some means of educating the middle classes of Ireland, who were unwilling to send their children to the National Schools, and unable to send them to Trinity College; it had, concurrently to endeavour to remove some of the squalid wretchedness which was the lot of Maynooth. It had the wisdom, as it determined to move, to act liberally. It asked Parliament to vote a sum of 30,000*l.* to improve the buildings at Maynooth; it proposed that the Board of Works should in future be responsible for keeping them in repair; it suggested that the salaries of professors should be more than doubled; that the position of the students should be improved; that the annual grant should be raised from about 9,000*l.* to about 26,000*l.*, and that this sum, instead of being subject to the approval of the legislature once a year, should be placed on the Consolidated Fund.[1] Then arose a series of debates which have no parallel in the history of the British Parliament. Inglis, who had been returned for the University of Oxford in 1829, led the Opposition. Thinking he had got an exclusive monopoly of truth, he objected to what he called the endowment of error.[2] The English Churchman and the Scotch Presbyterian joined, heart and soul, in assailing Peel. One popular preacher compared the English Minister to the young man void of understanding, who fell a victim to a woman with the attire of an harlot.[3] Some Scotch petitioners declared that the signs of the withdrawal of heavenly favour from the country had not been wanting since the Act of 1829. It was high treason to Heaven to apply the revenue

many respects, from the report in *Hansard*. For Peel's speech, *Hansard*, vol. lxxix. pp. 18, 25.

[1] *Ibid.*, p. 36.

[2] The sentence is Mr. Bernal Osborne's, *ibid.*, p. 55.

[3] For the description of the harlot, see Proverbs vii. 10, 13, 14, 21; for its application, *Hansard*, vol. lxxix. p. 1139.

CHAP. XIX. 1845.

of a Protestant people to the education of a Popish priesthood. An English orator, in language almost as forcible, declared that anyone, who assented to the grant, worshipped the beast, and supported that clearly predicted apostasy which opens its mouth in blasphemy against God, has ever been at war with the saints, and conspires afresh against our Lord and Saviour. 'The Orangeman raises his howl,' said Macaulay, 'and Exeter Hall sets up its bray, and Mr. MacNeile is horrified to think that a still larger grant is intended for the priests of Baal at the table of Jezebel, and the Protestant operatives of Dublin call for the impeachment of Ministers in exceedingly bad English.' A few years later a man, who was both a Christian and a gentleman, declared the Irish famine to be a dispensation of Providence in return for the Maynooth grant.[1]

Violence of this description was necessarily only the weapon of a few. The many made up for their deficiency in vigour by the frequency of their blows. Night after night it rained petitions; 298 petitions against the bill were presented on the 3rd of April, when Peel explained his scheme; 148 on the 8th; 254 on the 9th; 552 on the 10th; 2,262 on the 11th, when the bill was put down for a second reading; 662 on the

Anger of the country.

[1] For the petition, *Hansard*, vol. lxxix. pp. 1136, 1139. For Macaulay's speech, *ibid.*, p. 657. In the corrected edition of Macaulay's speeches the passage is given in more courtly language. I have preferred the rougher original. The Dublin petition, to which Macaulay referred, is printed in *ibid.*, p. 499. The Irish famine was traced to the Maynooth grant by Hoare, just as the death of George IV. in 1830 and the burning of the Houses of Parliament in 1834, had been traced by Dr. Croly to the Roman Catholic Emancipation Act of 1829. See *Hansard*, vol. lxxxix. p. 502. It may be worth while adding that the *Times* said of Peel, 17th April, 1845: 'With a mere globule of popery, the great Homœopath has put the nation in a fever;' and that, in a letter to this paper twelve days afterwards, Mr. MacNeile argued that, 'As the Word of God forbids the bowing down to images as expressly as it forbids theft or adultery—consequently, as we could not, without wilful rebellion against God's authority, approve or co-operate in the endowment of a college for instruction in theft or adultery, so neither can we approve of or co-operate in the endowment of a college for instruction in bowing down to images.'

14th; 581 on the 15th; 420 on the 16th; 335 on the 17th; 371 on the 18th. The petitions hardly allowed a doubt to remain as to the opinion of the country. Peel, indeed, was again exposed to the full force of the strongest power which any British Minister can encounter. The Mussulman, driven to his last defence, raises the standard of the Prophet, and proclaims a holy war. But the Englishman, if Protestantism be in danger, shouts, 'No Popery!' and creates equal enthusiasm. Once before, Peel had encountered the cry, and its violence had driven him, at the instant, from his seat, and had ultimately forced him from power. In 1845, he had again raised the same issue, and had prepared the discontent which was again to produce his fall.

There was, indeed, no doubt that the Minister would succeed. On such a question he could command the support of every Conservative who preferred party to principle, and of every Liberal who preferred principle to party. The mass of the Conservatives could not afford to reject a measure with which the fate of the Ministry was indissolubly connected; the mass of the Liberals could not oppose a remedy which was associated with the principles which they had consistently supported. But the Liberals, though they gave the Minister their support, assailed him with their abuse. They supported the measure, but they attacked the man. The remedy was right enough, but the leader of the Conservative party was the wrong man to propose it. O'Connell, moreover, increased the Minister's difficulties by ascribing the introduction of the Bill to his own demonstrations. 'Agitation, I thank you; Conciliation Hall, I am much obliged to you; Repeal Association, Maynooth ought to pray for you!'[1] Such support was certain to increase the frantic terror with which the bill was regarded.

[1] *Hansard*, vol. lxxix. p. 550.

CHAP. XIX. 1845.

Mr. Gladstone resigns.

The Minister's difficulties, moreover, which were thus augmented by the taunts of his opponents, were concurrently increased by the secession of one of his own colleagues. During the many sharp debates which had occurred in 1842, 1843, and 1844, Mr. Gladstone had gradually proved himself the most capable of Peel's lieutenants. He spoke with an authority which Peel and Graham alone enjoyed; he spoke with an eloquence which even Peel could not command. Mr. Gladstone, however, had commenced his political career by publishing a singular essay on the relations of the Church with the State; and he thought that the increased assistance which his leader was offering to Maynooth was incompatible with his earlier opinions and with the pledges under which he had been returned to Parliament. He consequently decided to support the measure, but to prove his own disinterestedness by sacrificing his office.[1] He intimated his intentions to Peel in the autumn of 1844; he carried them into execution in the spring of 1845.

Yet, vast as was the storm which the Minister had provoked, the issues which he had directly raised were of the smallest proportions. Hardly anyone ventured to propose that the original vote to Maynooth should be withdrawn. A grant, indeed, which had been sanctioned by George III., which had been fixed by Perceval, which had been voted in an unreformed Parliament, almost without debate, and which had been continued for fifty years, could not be withdrawn. Peel's opponents, therefore, were compelled to argue that there was no harm in sacrificing 9,000*l.* a year to Baal, but that a sacrifice of 26,000*l.* was full of harm. Instead of debating a question of principle, they found themselves perpetually confronted with a question of degree. They were forced to admit the propriety of granting

[1] *Hansard*, vol. lxxvii. pp. 70, 77, 79.

a pound to the Church of Rome, and to protest against the iniquity of granting three pounds. The vigour, with which they urged and reiterated their arguments, was, at any rate, creditable to their pertinacity. They debated the second reading of the bill for six nights, the third reading for three nights, and they seized other opportunities for protracting the discussion. Even the Lords forgot their customary habits and sat up till a late hour on three successive evenings to discuss an amendment for inquiring into the class of books used at Maynooth. But this unusual display of zeal proved useless. A majority in both Houses steadily supported the Minister, and zealous Protestants and old-fashioned Tories were unable to defeat a scheme which was proposed by Peel and supported by Russell.[1]

Middle-class education.

The heated controversy was not concluded in the Lords when the Ministry brought forward the second portion of their scheme in the House of Commons. Peel had himself taken charge of the Maynooth Bill. Graham conducted the measure for providing education for the middle classes of Ireland. He proposed to found three colleges in the north, west, and south of Ireland at a gross cost of 100,000*l.*; to devote 6,000*l.*, or, as was afterwards determined, 7,000*l.*, a year, to the maintenance of each of them; to affiliate them to a central university which the Crown could of its own prerogative establish in Dublin, and to abstain 'from all interference, positive or negative, with the conscientious scruples of the students in matters of education.' It was hoped that some Irish gentlemen, and

[1] Leave was given for the introduction of the bill by 216 to 114. *Hansard*, vol. lxxix. p. 108. The second reading was carried by 323 votes to 176. *Ibid.*, p. 1042. A resolution to vote the necessary funds was agreed to by 322 votes to 148. *Ibid.*, p. 1311. The resolution was confirmed on report by 232 votes to 119 (*ibid.*, p. 1429), and the third reading was carried by 317 votes to 184. *Ibid.*, vol. lxxx. p. 744. The second reading in the Lords was carried by 226 votes to 69 (*ibid.*, vol. lxxxi. p. 118), Lord Roden's amendment, referred to in the text, having previously been rejected by 155 votes to 59. *Ibid.*, p. 116.

CHAP. XIX. 1845

many Irish who were not gentlemen, would avail themselves of institutions which offered good and cheap education to Roman Catholic, Protestant, and Dissenter without distinction. The explanation of the scheme, however, revived the clamour which the Maynooth Bill had already excited. The Roman Catholic prelates denounced it as a measure 'dangerous to the faith and morals of the people.'[1] Inglis branded it as 'a gigantic scheme of godless education.' The gigantic scheme of godless education, it was soon evident, was making steady progress. In opposing Maynooth, the Tories had the advantage of assistance from English dissenters; in opposing the new colleges, they had only an uncertain aid from a small body of Irish Roman Catholics. The people, who had denounced in loudest language the endowment of a Roman Catholic institution, saw with indifference the establishment of secular education in Ireland; and Graham's bill was accordingly supported by large majorities, and became law.[2]

The Government could fairly contend that it had done something to conciliate the Irish. The Charitable Bequests Act of 1844, the endowment of Maynooth, and the establishment of new colleges—Queen's colleges as they were ultimately called—in 1845 had undoubtedly improved the position of the Roman Catholic population. Everything, in fact, which either diminished the resources available for the support of the Protestant establishment, or increased the scanty revenues of the Roman Catholic Church, tended to remove the religious inequality which was one of the great causes of Irish discontent. Religion, however, as the preceding pages will have shown, was not the

[1] *Hansard*, vol. lxxxii. p. 738.

[2] For the Scheme, *Hansard*, vol. lxxx. p. 345. For the enlargement of the Annual Sustentation Fund, 7,000*l.*, *ibid.*, vol. lxxxi. p. 493. For Inglis's description of it, *ibid.*, vol. lxxx. p. 378.

only source of the dissatisfaction of the Irish. Religious inequality was the Irishman's sentimental grievance. The conditions on which he held his farm were his real hardship.

It has been already stated that Peel in 1843 had appointed a small commission to investigate the conditions on which Irish land was held. The Commission was admirably calculated to conciliate the tenantry without alarming the landlords. At the head of it was Lord Devon, an English peer with a large Irish property. Sir R. Ferguson, a landlord of Tyrone; Mr. Redington, a large proprietor in Galway; Mr. John Wynne and Mr. G. A. Hamilton, both Irish landlords, were Lord Devon's four colleagues. Appointed towards the close of 1843, they were occupied during 1844 with the most elaborate inquiry which had ever taken place in Ireland. They produced, at the commencement of 1845, a report which ought to be familiar to everyone who desires to understand the Irish question. This Commission, composed of landlords and appointed by a Conservative Ministry, traced the evils with which Ireland was oppressed to the system of land tenure. The mass of Irish proprietors held their estates in strict limitation; the law did not allow them to charge their property for the purpose of making the most necessary improvements; they had no means of their own to devote to the purpose; and, in consequence, all improvements in Ireland were commonly the work of the tenant.[1] Much of the land, moreover, was let in a fashion which gave the landlord little or no interest in it. It was held on leases for lives perpetually renewable by the payment of a fine on the termination of each life. In many cases, the middleman, the creation of an absentee proprietary, stood between the landlord

The Devon Commission.

[1] In Ireland the landlord builds neither dwelling-house nor farm-offices, nor puts fences, gates, &c., into good order before he lets his land to a tenant. *Parl. Papers*, 1845, vol. xix. p. 16.

CHAP. XIX. 1845.

and the tenant. The middleman had the advantage of a lease; the subtenant held under him at will. The greater part of the soil of Ireland was thus held by tenants at will. The uncertainty of this tenure, wrote the commissioners, is said to paralyse all exertion and to place a fatal impediment on improvement. In the North of Ireland, indeed, a different custom prevailed. The tenant in Ulster claimed a proprietary right in his holding. The Ulster landlord acknowledged the right; and ten, twelve, or fifteen years' purchase was commonly given by an incoming tenant for the outgoing tenant's interest. The Commissioners thought the custom anomalous; they acknowledged that Ulster had thriven under it. Security of tenure had saved one portion of Ireland from the terrible lot which afflicted the three remaining provinces.[1]

These facts suggested their own remedy. When one part of Ireland enjoyed security of tenure and was prosperous, and three parts enjoyed no security and were wretched, common sense suggested that the conditions which had promoted improvement in Ulster should, in some way or other, be extended to Leinster, Munster, and Connaught. In 1835, 1836, and in 1843, bills had been introduced into the House of Commons to secure the Irish tenant compensation for the improvements which he made in the landlord's property. The Commissioners adopted the principle of these bills. They proposed that the clerks of the peace in Ireland should have power to register, and that the assistant barristers should be empowered to enforce, agreements for improvements; that the tenant should give notice to the landlord of any proposed improvement; that the assistant barrister should certify its cost, which was in no case to exceed three years' rental; and that, where the tenant's rent was raised, or where the tenant was ejected from

[1] *Parl. Papers*, 1845, vol. xix. pp. 12–16.

his holding within thirty years of the date of the improvement, he should receive compensation for its then value.[1] These were the main recommendations of the Devon Commission.[2] The Government decided on giving effect to some of them; and it entrusted the measure which it determined on introducing to Stanley, who, at the beginning of 1845, had been summoned to the House of Lords during his father's lifetime. His experience in the Irish Office, his interest, as his father's heir, in a large Irish property, and his capacity in debate, admirably qualified him for introducing a bill, affecting the rights of landlords, in an assembly of landed proprietors. Stanley, indeed, did not venture on carrying out the exact scheme of Devon and his colleagues. Instead of it he proposed the appointment of a Commissioner of Improvements. A tenant who desired to improve his property was to apply to the Commissioner, who had power to inquire into and determine the desirability of the improvements. If the Commissioner approved the improvements, a tenant ejected from his holding within a certain period was entitled to compensation for them. The only improvements which the bill recognised were classed under the three heads of building, fencing, and draining. The tenant who built on his farm was entitled to compensation for thirty years after the building was erected, one thirtieth of the cost of the improvement being deducted for every year during which he had enjoyed it. The tenant who fenced his farm was entitled, on a similar principle, to compensation for twenty years; the tenant who drained his farm for fourteen years. But the value of the improvements was in no case to exceed 5*l.* for each acre of the holding, and no compensation was to be granted for other improvements than those specified.[3]

The Bill of 1845.

[1] *Report*, p. 18.

[2] For the sake of clearness I have omitted the recommendations which did not bear on the relations between landlord and tenant.

[3] The Scheme is explained in *Han-*

CHAP. XIX. 1845.

A measure such as this did not deal with all the evils in the Irish land system. It placed no limit on the rent which the landlord was entitled to exact; or on the power of eviction which the law suffered him to exercise. It gave the tenant no compensation for any improvement which did not come within the strict letter of Stanley's measure. It did not cover all the recommendations which the Devon Commission had made; it was less generous than the scheme which the commissioners had devised. Yet its proposal gave the House of Lords an opportunity such as rarely falls to the lot of any assembly. A chamber of landowners, it was invited to be just to a nation of occupiers. It was asked by the heir of a great landlord to carry out the suggestion of a commission of landlords, and declare that no landlord should in future rob a tenant of property, which happened to be protected by the bill, for fourteen, twenty, or thirty years as the case might be. Yet these great landlords would hardly condescend to consider the measure. Thirty-six peers, holding property in Ireland, signed a declaration that the bill was destructive of rights of property, and asked the Government to withdraw it. Stanley, with difficulty, persuaded the House to allow it to be referred to a Select Committee. The Committee manifested so strong a feeling against the measure that its author determined on modifying it, and, as the summer was far advanced, withdrew it to introduce it in another shape at some more convenient time.[1] Thirty-six years elapsed before another minister —cast in a different mould from Stanley—had the courage and honesty to remedy the chief grievance of the Irish occupiers, and to insist on even the House of

The attitude of the Lords.

The Bill withdrawn.

sard, vol. lxxxi. p. 211. The bill is Lords' Bill, Session 1845, No. 196. For the sake of brevity, I have styled one of the improvements 'fencing.' The fencing which the bill contemplated was the destruction of the huge dykes which served as very imperfect fences, and which in small holdings frequently occupied more than one-tenth of the surface of the soil.

[1] *Hansard*, vol. lxxxi. pp. 1116-1152, and vol. lxxxii. p 493.

Lords allowing that occupier and landlord could have joint proprietary rights in the soil.

The crisis of 1845.

For the opportunity to which Stanley had looked forward did not occur during his lifetime. A greater question than even justice to Irish tenantry engaged the attention of Parliament, and Stanley himself, instead of endeavouring, on behalf of a ministry, to persuade Irish landlords to be just, was engaged, in opposition to the ministry, in protecting English landlords from free trade. At the close of the session of 1845, indeed, the Peel ministry enjoyed a security which nothing seemed likely to disturb; even the dissatisfaction of extreme Tories at the liberal measures of their chief found no expression amidst the prosperity which everywhere prevailed. Parliament was prorogued on the 9th of August, and the members separated, some, like the Queen, to pay flying visits to the Continent, others of them to discuss in their country homes the news of the Queen's progress. At the time of the prorogation, however, news had reached the minister which had caused him some disquietude. The potatoes in the Isle of Wight were diseased. Three days afterwards similar news reached him from elsewhere. A large potato-dealer, who had taken the trouble to make extensive inquiries into the subject, informed him that the disease was general throughout Kent and Sussex, and that it had made its appearance in Holland and France. During the next few weeks the disease gradually spread, and the minister awaited with anxiety news of its extension to Ireland. His worst fears were not, at once, realised. Favourable news arrived from the Viceroy. Soon after the beginning of October, however, the hopes which were thus raised were disappointed. Reports, one more unfavourable than the other, arrived from Dublin. On the 10th of October the *Times* in a leading article drew attention to the partial failure of the potato crops; its Irish news of the

CHAP. XIX. 1845.

13th of October declared that the accounts from Cork of the failure were most alarming. On the 18th of October the Agricultural Society of Ireland held a meeting to consider the disease.[1] Peel, on his own responsibility sent two scientific gentlemen to Ireland to investigate its nature, and to ascertain whether anything could be done to check its ravages. A day or two afterwards he summoned a meeting of the Cabinet for the 31st of October.

The emergency was undoubtedly grave. Twenty-seven millions of people were living in the United Kingdom in 1845, and 6,000,000 out of the number subsisted on the potato.[2] More than 8,000,000 of persons were living in Ireland in 1845, and 4,000,000 depended exclusively on the potato.[3] Assuming that only one half of the potato crop had failed—and the accounts which reached Downing Street would have justified an even graver assumption—the food, which was in ordinary years barely sufficient for the support of 6,000,000, could not be expected to do more than support 3,000,000. Nor was it an easy matter to see how these 3,000,000 could be fed. The news which arrived from the Continent made it doubtful whether any large quantity of potatoes could be imported from abroad. Foreign nations, in fact, themselves anticipating scarcity, were suspending the import duties on grain, and prohibiting the exportation of potatoes.[4] It was obvious, therefore, in October that hundreds of thousands of people, who had hitherto subsisted on the potato, must be supported on other food or starve. But the potato is the cheapest food on which life in this country can be sustained. The failure of the potato crop, therefore, compelled the poorest part of the population to increase their expenditure by

Its nature.

[1] *Times*, 22nd of October.

[2] The estimate was made by Villiers in 1843, *Hansard*, vol. lxix. p. 38.

[3] The estimate is Sir Robert Kane's. Peel's *Memoirs*, vol. ii. p. 169.

[4] *Ibid.*, 145, 146.

purchasing dearer food than that to which they had hitherto been accustomed. No one could doubt that they would be unable to do anything of the kind, and that either public grants or private charity would be required to supply the means which would enable millions of people to live.

But there was another difficulty connected with the subject. On the assumption that 3,000,000 persons, who had hitherto lived on potatoes, would require in 1846 to be supported on corn, it followed that some 3,000,000 quarters of wheat, or 4,500,000 quarters of oats would be needed for their support.[1] But this additional supply could not be furnished from British farms. The autumn of 1845 was wet; the harvest was deficient; and its yield, instead of being adequate for the home demand, would require supplementing with imports from abroad. The failure of the potato crop, therefore, made two things certain. Some three millions of persons would require support from public or private charity; and the additional food required for their support would have to be imported from abroad.

Its effect on the Corn Law.

This reasoning, however, at once drew attention to the duty on corn. If Parliament was to be invited to grant a sum of money for the support of the Irish, and if the money was to be spent in the purchase of foreign corn, the efficiency of the grant would be plainly limited by the existence of the duty on wheat and other cereals. The average price of wheat in October rose to 64*s.* a quarter.[2] The duty on wheat when the price was 64*s.* was 8*s.* a quarter. The suspension or the repeal of the duty would enable the importer to sell for 56*s.* the wheat for which he was charging 64*s.* In the presence of scarcity it was impossible to maintain such a restriction as this on the free import of grain.

[1] 1 quarter of wheat or 1½ quarters of oats is the usual allowance per head.
[2] *Ann. Reg.*, 1845, Chron., p. 429.

CHAP. XIX. 1845.

In a minor emergency in 1826 ministers had opened the ports on their own responsibility.[1] Almost the first act of the Parliament elected in this year had been to indemnify them for doing so. Peel desired in 1845 either to repeat the policy of 1826 or to summon Parliament for the purpose of suspending the Corn Laws. But even the suspension of the Corn Laws in 1826 had led to their modification in 1828; it was idle, so it seemed to Peel, to hope that if the measure of 1842 were suspended it could be restored when the emergency was over. The great Anti-Corn Law League, which, in the eyes of Tory landlords was 'the most cunning unscrupulous, knavish, pestilent body of men that ever plagued this or any other country,'[2] was redoubling its exertions. Night after night its lecturers were explaining its principles to thousands upon thousands of their fellow-countrymen; week after week its pamphlets were circulating by tens of thousands throughout the length and breadth of England; month after month the addresses of its great orators—the marvellous perspicuity of Cobden's speeches, the unequalled vigour of Mr. Bright's rhetoric—were exerting a continually increasing influence on the English nation. The Anti-Corn Law League had almost succeeded in converting a nation; but the Anti-Corn Law League and the experience of three years had already converted Peel. The arguments of Cobden and the Budget of 1842 had done their work; and the minister, who four years before had been borne to power by the protectionists, had gradually been convinced of the wisdom of free trade.[3] He felt that if the measure which he had originated in

Its effect on Peel.

[1] *Ante*, vol. ii. p. 147.

[2] The words were used by Lord Essex at a county meeting at St. Albans, *Hansard*, vol. lxxii. p. 1025.

[3] When Cobden was delivering the speech which is generally known as his 'dairy-farming' speech, the Tories asked, 'Why does not Peel answer this?' Peel murmured audibly in reply, 'Those may answer him who can.' See Greg's *Essays*, vol. ii. p. 356.

1842 were once suspended he had no arguments to use for its restoration.

Any minister, moreover, must have felt ashamed of the suggestions of those who supported the Corn Laws. The Council of the Royal Agricultural Society had recently thought proper to impress upon agricultural labourers the importance of having a week's wages in advance. The labourer, so it declared, should pinch and screw the family even in the commonest necessaries of life until he got this. From three to four pounds of potatoes are equal in point of nourishment to a pound of the best wheaten bread, besides having the greater advantage of better filling the stomach. A lot of bones may always be got from the butcher for 2*d.*, and they are never scraped so clean as not to have some meat upon them. These, the council went on to explain, might be boiled three times. Even on the third boiling, if they were only boiled long enough, they would still yield a little nutriment. Such was the opinion of the 6,000 landlords and tenant-farmers who belonged to the Agricultural Society of England.[1] A great Duke made a suggestion which, if it had not been ridiculous, would have been even more grim. He explained that life might be supported by a pinch of curry powder in hot water.[2]

Suggestions made in the crisis.

While such expedients were being suggested by peers and country gentlemen, Peel summoned the Cabinet for the last day of October. The Cabinet met; the minister discovered that the majority of his colleagues did not share his views. Three members alone—Graham, Aberdeen, and Sidney Herbert, a younger brother of Lord Pembroke, who had lately succeeded Fremantle as Secretary for War—supported their leader. The majority decided to do nothing till the end of the month. The assembly of the Cabinet

The Cabinet meets.

[1] *Times*, 24th October, 1845. [2] *Times*, 10th December, 1845.

CHAP. XIX. 1845.

and its frequent sittings agitated England; its separation made a profound impression. 'Instead of an Order in Council for opening the ports, the *London Gazette* contained a further prorogation of Parliament;' 'the Government must be more sick than the potatoes,' said Lord Roehampton in 'Endymion.'[1]

The Cabinet adjourned till the end of the month. It reassembled on Tuesday the 25th of November. All the news which reached Peel in the interval confirmed his previous opinion. There was no doubt of the extent of the disaster. Fear, indeed, temporarily postponed the famine which was steadily approaching. The few people who had good potatoes to sell hastened to sell them before they became bad, and the market was in this way glutted for the moment, at the cost of aggravating the difficulties which loomed in the future. Some people even imagined that, as potatoes did not rise in price, the disease had been exaggerated, and failed to see that the present cheapness was itself enhancing the future dearth. Peel, of course, was not deceived by this circumstance. He, from the first, foresaw the coming famine; he was convinced of the necessity for preparing for it; and he only reluctantly assented to the postponement which the attitude of the majority of his colleagues made necessary.

Grave, then, as the crisis had appeared when the Cabinet adjourned in the beginning of November,[2] it was

[1] The two quotations which are given in the text are from Disraeli's *Life of Lord G. Bentinck*, p. 6, and *Endymion*, ch. xxx. The 'councils called without a cause and dismissed without a consequence,' *Hansard*, vol. lxxxiii. p. 117, which 'agitated England, perplexed the sagacious Tuileries, and disturbed even the serene intelligence of the profound Metternich,' *Life of Bentinck*, p. 20, fill a prominent position in Disraeli's writings.

[2] It is remarkable how little Peel's position was understood out of doors. On the 21st of October, the *Times* alluded to rumours of differences between Peel and Stanley; on the 23rd of October it declared that the sliding scale had 'palpably failed;' on the 28th of October, it proclaimed the 'doom' of the Corn Laws. But, on the 6th of November, it ascribed the difficulty to Peel. 'The most prudish of premiers may hesitate before he condemns what he has

much graver when it reassembled at the end of the month. At a preliminary meeting on the 25th, it agreed to some draft instructions to the Lord Lieutenant on the course which he should pursue in the emergency. On the following day, however, Peel read to it a memorandum in which he stated that he could not consent to the issue of these orders if the Corn Laws were to be maintained. He added that he thought the proper course was to suspend the law by an Order in Council, and summon Parliament to 'deliberately review the whole question of agricultural protection.' For himself, while ready, if his colleagues desired it, to undertake the review, he thought it better for the country that it should be undertaken by others. This declaration necessarily produced a profound impression. Its significance was increased the next morning [1] by the publication of a letter which Russell four days before had written from Edinburgh to his constituents, the electors of the City of London. Russell was alarmed at 'the indecision and procrastination' which the Cabinet was apparently displaying. He thought that the danger of the crisis was aggravated by the Corn Law of 1842. At the time that Act was passed, he had desired a fixed duty on wheat. In his judgment it was 'no longer worth while to contend for a fixed duty;' and he called upon the electors of the City to unite to put an end to the 'system which has been proved to be the blight of commerce and the bane of agriculture . . . The Government appear to be waiting for some excuse to give up the present Corn Law. Let the people, by petition, by address, by remonstrance, afford them the excuse they seek.' There could be no doubt about the meaning of this letter. The

The Edinburgh letter.

sanctioned, and sanctions what he has strenuously denounced. If this be so there is only one course for him to take . . . . to resign.'

[1] The Edinburgh letter is dated the 22nd of November. It appeared in the *Times* of the 27th of November.

CHAP XIX. 1845.

leader of the Liberal party had adopted both the creed and the machinery of the Anti-Corn Law League.

Thus, while the Prime Minister of England was formally refusing to maintain the Corn Laws, the leader of the Liberal party had pronounced an unqualified preference for free trade. On the 29th of November Peel circulated another paper among the members of the Cabinet, urging the necessity of immediately opening the ports, and of subsequently modifying the existing system of protection. On Tuesday the 2nd of December, when the Cabinet met for the third time, Peel was prepared with a memorandum explaining the principles on which modification should be based. A new sliding scale was to be substituted for that of 1842, but the duty was to be annually reduced by one shilling, and, in the course of eight years, to be thus gradually abolished. For a moment Peel thought that the Cabinet would accept this proposal. Wellington, regarding Peel as more important than corn, decided to support the minister. Two men, however—Stanley and the Duke of Buccleuch —declined to be parties to the new policy. Peel himself thought it impossible to persevere with a mutilated Cabinet, and, on the 5th of December, placed his resignation in the Queen's hands.[1]

Peel resigns.

[1] Sir R. Peel's *Memoirs*, vol. ii. pp. 173–222. Most writers on the subject have referred to the fact that the *Times* announced on the 4th of December that Parliament would meet in the first week of January, and that it would recommend a consideration of the Corn Laws, preparatory to their total repeal. Miss Martineau says that 'the *Times* had true information,' but she declines to reproduce 'the chit-chat of London' for the sake of disclosing the means by which the information had been obtained. Mr. McCarthy is less scrupulous. He states that 'the blandishments of a gifted and beautiful lady had somehow extorted the secret from a young and handsome member of the Cabinet, and that she had communicated it to the *Times*.' But neither Miss Martineau nor Mr. McCarthy seems to have noticed that the *Times* was wrong. So far from the Cabinet having decided to summon Parliament and to repeal the Corn Laws, it had made up its mind to retire. The secret which the gifted and beautiful lady extorted from the young and handsome member of the Cabinet was not the decision of the Cabinet, but the wishes of Sir R. Peel. The *Times* clung to its own view on the next day (the very day on which Peel resigned). 'Mrs. Harris don't believe a word

The Queen had no alternative before her. Of the four chiefs who had led the Liberal party in prosperity and adversity during the fifteen years which had passed since the death of George IV., two were dead; one—Melbourne—was incapacitated by illness; and the fourth—Russell—was alone available for public service. The Queen accordingly sent for Russell. But she was at Osborne, Russell was still at Edinburgh; communication between the Isle of Wight and Scotland was slow, and six days passed before Russell was able to obey the Queen's summons. In asking him to undertake the Government, the Queen was able to announce the removal of one great impediment to his doing so. Peel had written to her, promising 'to support in a private capacity measures which may be in general conformity with those which he had advised as a minister.' Russell, therefore, could rely on his great opponent's supporting the measure which it would be the first object of his ministry to propose. But another difficulty occurred to him. The Parliament of 1841 was a Conservative Parliament; the majority of its members were ostensibly opposed to free trade; and the Queen, therefore, might do well to ask those members of the Cabinet who were seceding from Peel to undertake the formation of a new ministry. The Queen submitted this difficulty to Peel. Peel consulted both Stanley and Buccleuch, and on the

Russell invited to form a Ministry.

about it, for she has heard nothing about it from Mrs. Gamp, who is the only authority for the opinion of Mrs. Harris. . . . They (Mrs. Harris and Mrs. Gamp) have not succeeded in getting hold of a scrap of truth which they can turn to profit. . . . The reason is obvious, the repeal of the Corn Laws is a thing for statesmen to do, not for old women to maunder about.' It again clung to its story on the 6th when the Queen had actually sent for Lord John Russell, and it did not ascertain the true state of the case till the 11th, the day when Lord John Russell went to Windsor; and then it inaccurately flung the whole responsibility of the crisis on the shoulders of the Duke of Wellington. To talk of such announcements, as Miss Martineau does, as true information, or even as Mr. McCarthy writes of them, as information substantially true, is to ignore all the facts and all the dates. Since this note was written, the true facts have been brought out clearly in Greville's *Memoirs*, second series, vol. ii. pp. 309-315.

CHAP. XIX. 1845.

15th of December was enabled to state that those of his colleagues who differed from him were not prepared to form a ministry.[1] Any impediment to the construction of a new Cabinet was, in this way, apparently removed. But a new and insurmountable obstacle was raised within the ranks of the Whigs themselves. Russell, naturally desiring to obtain the assistance of all his old colleagues, offered to restore Palmerston to the Foreign Office; and Lord Grey—for Lord Howick had now succeeded to his father's title—recollecting the crisis of 1840, objected to risk a quarrel with France by entrusting the Foreign Department to the statesman who had concluded the Quadruple Alliance. Palmerston, on his part, was willing to waive his claims, but he declined to accept any position in the Cabinet except his old office. Lord Grey, in short, was willing to see Palmerston in anything but the Foreign Office; and Palmerston was insisting on the Foreign Office or nothing.[2]

Peel resumes office.

Russell, unable to conclude any compromise between Palmerston and Lord Grey, found it necessary to confess his inability to form a ministry; and on the 20th of December the Queen asked Peel to resume office. Peel at once expressed his readiness to do so; and, summoning his old colleagues, communicated to them his Sovereign's offer and his own decision; and asked for their support. The courage of the minister in resuming his position, without seeking extraneous advice or taking time for deliberation, delighted Wellington, who

[1] Peel's *Memoirs*, pp. 225, 234.

[2] Greville's *Memoirs*, second series, vol. ii. p. 323. Martin's *Prince Consort*, vol. i. p. 310. Bulwer's *Palmerston*, vol. iii. p. 184. Trevelyan's *Macaulay*, vol. ii. p. 169. Sir T. Martin says that Lord Grey also desired to obtain for Cobden a seat in the Cabinet. But I know of no other authority for this statement, which, however, is indirectly supported by the fact that, according to the *Times* of the 19th, Cobden called on Lord Grey on the 18th of December. Russell made Cobden the curious offer of the Vice-Presidency of the Board of Trade, Morley's *Cobden*, vol. i. p. 344. The *Times* declared on the 26th of December that 'Lord Palmerston and his organ had done all that it was possible to do to excite distrust and alarm in every part of the world and in every Cabinet of Europe.'

at once professed his intention to stand by him. Stanley, on the contrary, announced his resolution to retire. Buccleuch, who in the previous crisis had thrown in his lot with Stanley, asked for time to consider what he should do. Hesitation is the natural prelude to concession. In two days Buccleuch determined to go on.[1]

Stanley's resignation necessitated the partial reconstruction of the Cabinet. On the eve of the day, moreover, on which Peel resumed office, one of his old colleagues, Wharncliffe, died suddenly in London. Two vacancies, therefore, almost simultaneously occurred in the Cabinet. The Duke of Buccleuch consented to accept the Presidency of the Council in succession to Wharncliffe, and Haddington exchanged the Admiralty for the sinecure office of Lord Privy Seal in succession to the Duke. Ellenborough, who on the original formation of the Government had been placed at the Board of Control, and who had since shone for a brief space as Governor-General of India, re-entered the Cabinet as First Lord of the Admiralty. These changes had no great significance. In Stanley's place, Mr. Gladstone, who had retired from the Board of Trade in the spring, accepted the seals of the Colonial Office.

The Dukes and the Ministry.

So far everything seemed favourable. The Cabinet had lost Wharncliffe and Stanley, it had gained Ellenborough and Mr. Gladstone. It had acquired new strength in the Commons; it had not materially lost strength in the Lords. Peel confessed that he felt like a man restored to life, with greater means of rendering public service than ever. But clouds were already gathering on the horizon. The Dukes mutinied against the minister; and, mutinying, resolved to show their power. Mr. Gladstone, since his first entry into Parliament, had sat for the Duke of Newcastle's borough of

[1] Peel's *Memoirs*, vol. ii. p. 253.

CHAP. XIX. 1846.

Newark. His acceptance of office vacated his seat; the electors of Newark were instructed to choose a Tory lawyer, a nominee of the Duke's; and Mr. Gladstone, for a year and a half, remained out of Parliament. Lord Arthur Lennox was Clerk of the Ordnance; he sat for his brother's, the Duke of Richmond's, borough of Chichester; he was ordered to resign; Lord Henry Lennox, the Duke's son, was elected, and the Clerk of the Ordnance remained out of Parliament. The premature death of Sir William Follett had led to Sir Frederick Thesiger's promotion to be Attorney-General. Thesiger sat for the Duke of Marlborough's borough of Woodstock. His promotion vacated his seat, the electors were instructed to choose the Duke's son, Lord Alfred Churchill, and the Attorney-General remained out of Parliament. Sir Thomas Fremantle, who had successively filled the positions of Secretary to the Treasury, Secretary at War, and Chief Secretary for Ireland, sat for the Duke of Buckingham's borough of Buckingham; he was required by his constituents, the Duke's dependents, to resign; and the electors chose Lord Chandos, the Duke's eldest son, as their representative.[1] Peel replaced Sir T. Fremantle with Lincoln, the eldest son of the Duke of Newcastle. Lincoln sat for South Nottinghamshire. His father had preponderating influence in the county. His acceptance of office vacated his seat; the electors, urged on by father against son, elected Hildyard, a protectionist squire, as their representative, and the Chief Secretary for Ireland remained for months out of Parliament.[2] Examples of this kind are sure of imitation. Some of Peel's supporters, who had been returned to Parliament

[1] A debate was raised on all these elections, in which Peel very generously defended the Dukes, *Hansard*, vol. lxxxiii. p. 1167.

[2] *Ann. Reg.*, 1846, Chron., p. 35. He was finally elected in May (through the Duke of Hamilton, his father-in-law's interest), for Falkirk. *Ibid.*, p. 70.

to support protection, thought themselves bound to resign their seats and offer themselves for re-election. Ashley and Smith resigned their seats for Dorsetshire, Lord Charteris resigned his seat for Gloucestershire, and Gloucestershire and Dorsetshire chose protectionist representatives. These elections proved that the country gentlemen of agricultural England shared the opinions of the Dukes and approved their ungenerous conduct. Popular boroughs and northern counties were not, indeed, likely to imitate the example of irritated Dukes and selfish country gentlemen, but they showed an equal disinclination to choose Peel's supporters. Wharncliffe's death created a vacancy in Yorkshire, whose West Riding had been represented by his eldest son; and the Yorkshire freeholders, instead of electing another of Peel's supporters, chose Morpeth, a member of the Melbourne Cabinet, as their representative. Peel conferred a seat at the Board of Admiralty on Rous, the member for Westminster; and the Westminster electors chose a Radical, Sir De Lacy Evans, as his successor. These elections made it tolerably plain that the part which Peel was playing did not commend itself to town or country. Southern England was rallying to protect agriculture, Northern England and populous towns were preferring Russell to Peel.

Parliament meets.

Conscious, however, of his own integrity, firm in the strength of his arguments, and aware of divisions among his opponents, Peel met Parliament, on the 22nd of January, with confidence. Ireland was the chief subject of the Speech, which the Queen delivered in person from the throne. Two circumstances, occurring simultaneously, were creating anxiety. Crime—and one of the worst of crimes—assassination, was increasing. Famine was imminent. The Queen asked her Parliament to devise measures for the protection of life; she relied on the co-operation of its members to aid her

CHAP. XIX. 1846.

in alleviating distress. 'The prosperous state of the revenue, the increased demand for labour, and the general improvement which has taken place in the internal condition of the country,' afforded strong testimony of the wisdom of its recent fiscal measures. She recommended it at once to consider whether it might not with advantage extend the same principles.[1]

A speech of this character did not prove much. It did not even mention the word corn. Timid country gentlemen, gathering temporary courage, wondered whether they had given way to unnecessary fears. They would, at any rate, await the result of the debate on the address before they decided on an uncompromising opposition to the minister. They had not long to wait. The moment the mover and the seconder of the address had concluded their speeches, Peel rose. He explained with admirable clearness the advantages which had resulted from the remission and relaxation of protective duties; he pointed out the benefits which the poor derived from cheap food. He denied that the rate of wages varies with the price of food. He declared that a large debt and heavy taxation could be best encountered by abundance and cheapness of provisions, and he recapitulated the history of the potato rot as an additional reason for repealing the Corn Laws. The country gentlemen, as they listened to his periods, heard the doom of the system which they had cherished for fifty years. A mere army, without a staff, they had neither the capacity nor the knowledge which would have enabled them to reply. Had it not been for the aid of Disraeli, who denounced 'the sublime audacity' of the minister coming forward to confess his conversion to principles which he had spent his life in resisting, the debate on the address might possibly

[1] *Hansard*, vol. lxxxiii. p. 4.

have concluded without a solitary protest from a single protectionist.[1]

Five days after the debate on the address, the minister rose in committee to explain his scheme. He had acted in 1842—so he told the House—on the principle of remitting the duties on raw materials constituting the elements of manufacture in this country. The manufacturers had consequently the advantage of free access to the raw materials which they required. The minister was entitled, in return, to require them to relinquish the protecting duties which they enjoyed. He proposed, therefore, to reduce the duties on cotton goods, woollen goods, silks, metals, paper-hangings, soap, straw-plaits, and other articles, and concurrently to reduce the duties on raw materials which were still liable to taxation, such as timber and tallow. He dwelt on the subject as if his first object was to open the markets to foreign manufactures. He arranged his matter as if free trade in food were only the logical consequence of free trade in other articles.[2] He desired in 1846 to extend the policy of 1842 by reducing the duty on the raw commodities which the farmer used, such as seed, and maize which was largely used for feeding cattle. But, just as he had called on the manufacturers to relinquish the protecting duties which they had enjoyed, as a return for the advantage which they derived from cheaper raw materials, so he called upon the agriculturists to abandon the protecting duties on food. He proposed to reduce the duties on butter, cheese, and hops by 50 per cent.; to admit live stock and dead meat duty free; and to fix the duty on corn at a shilling

Peel's proposal.

[1] For Peel's speech, *Hansard*, vol. lxxxiii. p. 67. For Disraeli's, *ibid.*, p. 111, and see especially p. 118.

[2] Dalhousie summed up the chief changes made in 1846, as follows: 'The duty of 20 per cent. on manufactured goods they proposed to reduce to 10 per cent., and that on half-manufactured goods to 5 per cent., while they removed the whole impost from the raw material.' *Hansard*, vol. lxxxvii. p. 794.

CHAP. XIX. 1846.

a quarter from the 1st of February 1849, preserving a small protective duty in the intervening years.

Land, however, groaned under a burden to which trade was not subject. Peel did not, indeed, attempt to trace the true incidence of local taxation. He affected to assume, for the purposes of his argument, that it fell upon the agriculturists and not upon the landlords. He therefore attempted to conciliate the assembly of landlords he was addressing by promising agriculture relief from its local burdens. He suggested that economy, and therefore saving, could be effected by combining 16,000 highway authorities into 600 highway districts; he offered to relieve the rates by throwing on the Consolidated Fund the cost of maintaining convicted prisoners and of conducting prosecutions; he offered to pay the whole cost of the police force in Ireland, and half the cost of medical relief in England; and he suggested that the State should lend money at low rates of interest to enable landlords to increase the productiveness of their land by draining it. These undoubted boons to the landlord, Peel probably hoped, rather than thought, might obtain consideration for his proposals. He had soon reason to perceive that little favour would be extended to them. One of his former supporters declared that his speech was such as to excite disgust and indignation. Another of them asserted that 'never in the whole course of his existence had he been so much horrified, distressed, or astonished, as he had been in listening to the propositions which had emanated' from Peel.[1]

Irritation of the Tories.

Such language as this proved the deep irritation of the country gentlemen, but it also furnished indirect evidence of their incapacity. Men rarely resort to abuse till they find their other weapons inefficient or

[1] Peel's speech is in *Hansard*, vol. lxxxiii. p. 239. For the criticisms in the text by Colonel Sibthorp and Lord March, cf. *ibid.*, pp. 310, 311.

useless. The country gentlemen, indeed, met to consider what they should do, but they were sheep without a shepherd, an army without a general. One man there was, not of them but among them, who was already distinguished for the attacks which he had made on the minister, and who had the capacity, at any rate, which would have fitted him for the lead. The country gentlemen, however, though they had learned to distrust Peel, had not yet learned to trust Disraeli; and they accordingly set themselves to select some other person for the nominal lead of their party. There happened to be among them a man who possessed remarkable qualifications for the position. Lord George Bentinck, the brother of the Duke of Portland, belonged to a family which, in the present century, has produced a weak Prime Minister and an excellent Indian Governor. He had begun life as Canning's private secretary, he had served for nearly twenty years in Parliament, but his ambition had urged him to seek successes at Newmarket rather than in Westminster. Nature had provided him with a broad mind; forty-four years of life had been insufficient to furnish it. And, like all people whose capacity is great and whose information is small, he showed more zeal in defending the wrong cause than in ascertaining the right one. Yet, even in this respect, he was an admirable representative of the country gentlemen who chose him as their leader; his training was their training, his pursuits their pursuits, his knowledge was no scantier than theirs. Furious with Peel for adopting a policy which seemed ruinous to agriculture, he allowed himself to be nominated to the lead which his friends insisted on his assuming. Perhaps even then it occurred to him that his own deficiencies would be partly supplied by the adventurer, who, carefully suppressing himself, was in reality the soul of the mutiny. And certainly no two statesmen ever

Lord George Bentinck.

CHAP. XIX. 1846.

presented a wider contrast than Bentinck and Disraeli. It would perhaps be unfair to say that Bentinck was all fact and Disraeli all fancy; but it is at least true that, in their speeches, Bentinck leaned on his figures, while Disraeli soared on his imagination.

The policy of the Protectionists.

Bentinck, or Disraeli, saw clearly enough that the protectionists were not numerous enough to inflict defeat on the minister. The great object which he proposed 'to himself was to delay the progress of the Government measures that they should not reach the House of Lords before Easter.'[1] The forms of the House lent him assistance. Measures which relate to trade can only emanate in resolutions in committee. Protectionists had therefore the opportunity of resisting the motion for going into committee, of contesting the resolutions in detail, and of renewing the same fight on the bill. On the 9th of February a motion was formally made for going into committee. The minister thought that the preliminary debate would be exhausted in two or three evenings. At the end of the fifth night Peel himself rose to close the discussion with a speech which was described as 'more powerful, and more to be admired, than any which had been delivered within the memory of any man in this House.'[2] But Peel's speech did not produce the desired effect. The debate was protracted over seven more nights, and the House did not divide on the preliminary question till the morning of the last day of February.[3] With almost the solitary exception of Bentinck, the protectionists did not dispute the policy of the Government, they addressed themselves to the easier task of exposing the inconsistencies of the minister. They could not prove that free trade

[1] The words are taken from Disraeli's *Lord G. Bentinck*, p. 110.

[2] The words are Mr. Bright's. *Hansard*, vol. lxxxiii. p. 1129.

[3] The House divided, 337 votes to 240. Of the majority only 112 were Conservatives. *Hansard*, vol. lxxxiv. p. 354.

was wrong and that protection was right, but they could, at least, show that, if Peel and Graham were right in 1846, they were wrong in 1842. Two days afterwards the struggle was renewed in committee. For ten years Villiers had been the consistent advocate of free trade. He could not brook the temporary delay which Peel contemplated, and he moved an amendment proposing the immediate repeal of the Corn Laws. Its proposal only played into the hands of the protectionists; it enabled them to waste two more nights in a discussion which could not possibly lead to any practical result.[1] The Committee, thus delayed at the outset, did not conclude its labours till the 9th of March.[2] The issues which had been raised in committee were raised again on report, and, only on the 20th of March, the House agreed to all the resolutions of the Government, and ordered bills to be brought in to give effect to them.[3] Bentinck and Disraeli were more skilful obstructionists than their later imitators. They had succeeded in occupying almost exactly two months in deciding whether the ministry should be allowed to introduce a bill to carry out its policy.

The Coercion Bill.

Two months' delay was inconvenient. But the inconvenience was much greater from the peculiar situation of Parliamentary business. Free trade was not the only measure which the ministers had advised the Queen to recommend in consequence of the Irish famine. She had asked her Parliament to adopt measures for preventing assassination in Ireland. The ministry was therefore compelled to supplement its free trade measures with an Irish Coercion Act, and to afford

[1] Russell, at the very outset, declined to risk the success of Peel's scheme by supporting Villiers. *Ibid.*, p. 462. The motion was finally rejected by 265 votes to 78. *Ibid.*, p. 575.

[2] *Ibid.*, p. 837.

[3] *Ibid.*, p. 1342.

CHAP. XIX. 1846.

its opponents a further opportunity of wasting time by giving them another subject to talk about. And a Coercion Bill afforded unusual opportunities for talk. It incidentally raised the most difficult problem which occupies the attention of British statesmen. Up to the passage of the Reform Act of 1832, indeed, every British statesman had assumed, as a matter of course, that the system of government pursued in England was inapplicable to Ireland. Ireland was almost continually subjected to Insurrection and Coercion Acts.[1] After the passage of the Reform Act, the officials responsible for the peace of Ireland could not understand the possibility of dispensing with the old machinery. They persuaded Stanley to propose the Coercion Act of 1833; they induced Parliament to continue a modified Coercion Act in 1834. But the Act of 1833 drove Stanley from the Irish Office; the Act of 1834 broke up the Grey Administration. The Melbourne Cabinet, secure of O'Connell's support, made no use of the coercive powers with which Parliament had entrusted it,[2] and, in 1840, the powers themselves were allowed to expire.

Unfortunately for its own future, and for the history of the country, the ministry thought it necessary to propose fresh coercion in 1846. Crime, especially that kind of crime which is regarded as agrarian in its origin, was increasing in ten out of the thirty-two Irish counties; and in five out of these ten counties—Tipperary, Clare, Roscommon, Limerick, and Leitrim—the increase had assumed dangerous proportions. These five counties contained about one-sixth of the entire population, but, in 1845, they furnished more

[1] The Coercion Acts are enumerated in *ante*, vol. ii. p. 206.

[2] The fact was stated in 1846 by Russell on Normanby's authority. *Hansard*, vol. lxxxvii. p. 501.

criminals[1]—or more agrarian crime—than the whole of the rest of the country. Ministers proposed that the Irish Government should have power to proclaim either county or district. When a county or district was proclaimed, the Government was authorised to appoint additional magistrates and additional police at the expense of the locality. In such districts the representatives of a victim of outrage were to be entitled to pecuniary compensation from the ratepayers; persons out of doors at night were to be liable to transportation, and persons congregated in public houses or carrying arms were to be liable to arrest.

Irish crime.

Some little delay arose in introducing the measure which was thus agreed upon. The retirement of Sir T. Fremantle from the Irish Office, and the unsuccessful exertions of his successor to find a seat, naturally interfered with its introduction. Entrusted at last to St. Germans, who had filled the office of Irish Secretary in 1842, it was read a second time in the House of Lords on the 23rd of February.[2] Even among the Lords, however, doubts arose as to the policy and propriety of the measure. Lord Grey declared that the

[1] It may be well to give the exact figures on Graham's authority:—

	Five Counties.	Rest of Ireland.
Homicides	47	92
Firing at Person	85	53
Aggravated Assaults	190	350
Dangerous to Life, Assaults	110	127
Incendiarism	139	339
Killing and maiming Cattle	108	164
Robbery of Arms	420	131
Appearing armed	64	25
Administering Unlawful Oaths	190	33
Threatening Letters	1043	901
Attacking Houses	309	174
Malicious Injury to Property	104	306
Firing into Dwelling Houses	93	41
	2904	2736

Hansard, vol. lxxxv. pp. 338-340.

[2] *Ibid.*, vol. lxxxiii. pp. 1348-1389. Clanricarde had previously drawn attention to the necessity for legislation, and had received an assurance that a bill was ready. *Ibid.* p. 747.

CHAP. XIX. 1846.

ministry was responsible for the disturbed state of Ireland. The issue of the Devon Commission had excited the hopes of a miserable tenantry; the withdrawal of Stanley's bill had filled them with despair.[1] He had the courage to object to a miserable wretch out of doors at night being made liable to transportation. Even Stanley, in his memorable measure of 1833, had only made the offence a misdemeanour. How could Parliament in 1846 venture on increasing the penalty which had been thought sufficient in 1833? Only seven Peers, however, had the compassion to think transportation for seven years too severe a punishment for the offence of being out of doors after sunset. Grey's amendment was rejected, and the Government thereupon consented to limit the duration of the bill to three years.[2]

With this slight modification the bill passed the Lords on the 13th of March.[3] Slowly as it had proceeded, its progress had been too rapid for the convenience of the ministry. It had actually reached the House of Commons a whole week before the Commons had decided whether a Corn Bill should be introduced or not. No opportunity could have been more favourable for skilled obstruction. If the ministry proceeded with the Corn Bill before the Protection for Life Bill, it laid itself open to the charge that it was indifferent to assassination. If it proceeded with the Protection for Life Bill before the Corn Bill, it laid itself open to the charge that it was indifferent to famine. Peel proposed to compromise the difficulty by reading the Corn Bill a second time, and then proceeding with the first reading of the Protection for Life Bill.[4] He hoped that the debate on the former could be concluded in one or two sittings; that the House would then at once

Renewed obstruction.

[1] *Hansard*, vol. lxxxiv. p. 1360.
[2] *Ibid.*, vol. lxxxiv. p. 716.
[3] *Ibid.*, p. 978.
[4] *Ibid.*, pp. 1045, 1283.

be able to read the latter a first time. He had hardly yet realised the nature of the opposition with which he had to deal. The protectionists debated the second reading of the Corn Bill for a week, and only allowed it to pass the second reading in the early morning of the 28th of March.

Under these circumstances Graham, on Monday the 30th of March, introduced the Life Bill. But he was not even allowed to introduce it without a preliminary debate. Orders of the day had precedence of motions on Mondays, and Graham had therefore to propose the postponement of the orders of the day before he could introduce his motion for the introduction of the Life Bill. Most of the evening was occupied with the preliminary discussion, and time was only left for Graham's own speech on the introduction of the bill. The Government probably hoped to continue the discussion on the Tuesday. But private members would not give way to it, and it was actually unable to secure the resumption of the discussion till the Friday. On that evening O'Connell, enfeebled by illness, delivered his last appeal for his native country to Parliament.[1] It did not need his authority and example to stimulate the opposition of Irish members to a fresh Coercion Bill. The debate, protracted throughout the evening, was again adjourned till the Monday. The third night failed to bring the discussion to a conclusion; private members again refused to give way on the Tuesday, and the Government was compelled to allow the House to adjourn for the Easter recess without obtaining the first reading of the bill.

Parliament after Easter.

When Parliament reassembled after Easter, the same tactics were pursued. Lord G. Bentinck's great object before Easter had been 'to delay the progress of

[1] 'A feeble old man muttering before a table.' *Life of Lord G. Bentinck*, p. 159. The speech is in *Hansard*, vol. lxxxv. p. 493.

CHAP. XIX. 1846.

the Government measures'; after Easter 'he devoted all his energies to the maintenance of the deadlock.'[1] Never before had the Parliamentary programme so facilitated obstruction. The House was divided into four parties. Some 120 members still yielded an unflinching support to the minister. Some 120 members —Radicals and Irish—were determined to resist all coercion. The 400 other members who followed Bentinck and Russell were nominally in favour of coercion. But Bentinck declared that he could only support coercion if it were given precedence over corn; while Russell hinted a reluctance to support coercion unless corn had precedence of it.[2] Four parties, so constituted, were unlikely to make progress. The Irish talked on the Life Bill from dislike of coercion, the country gentlemen talked on the Life Bill from dislike of free trade. And the measure which the Queen had recommended to Parliament in January was not actually allowed to pass its first reading till the 1st of May.[3]

The resources of delay were not yet exhausted. In the course of the debate on the Life Bill, Peel had avowed that his opinions on the subject of corn had undergone a change. The restrictions which he had at first believed to be impolitic he now believed to be unjust, and a sense of their injustice precluded him from any compromise.[4] Bentinck seized on this avowal as a fresh pretext for delay. He succeeded in wasting a whole night in a discussion founded on the minister's new change of opinion. When it proved impossible to protract the talk any longer, a series of motions to report progress effected the same object; and Peel, admitting that he had no strength to go through with the contest, gave way, and the House was once more adjourned.[5]

[1] *Life of Lord G. Bentinck*, pp. 110, 202.
[2] *Hansard*, vol. lxxxiv. p. 1280.
[3] *Ibid.*, vol. lxxxv. p. 1406.
[4] *Ibid.*, vol. lxxxv. p. 1109.
[5] *Ibid.*, vol. lxxxvi. p. 92.

But the end was already near. On the following night, the 5th of May, the bill went through committee. On the 8th of May it was reported; and finally, on the 15th of May, after three nights' debate, it was read a third time, and carried to the Lords.[1]

Tactics of delay, frequent as they are in the Commons, have never been tolerated in the Lords. Even the great landowners who composed the majority of that House would not have ventured to obstruct the progress of a measure which they, perhaps sincerely, thought ruinous to their country and themselves. The bill was read a first time without a division on Monday, the 18th of May.[2] It was read a second time on the 28th of May after three nights' debate by a sufficient majority.[3] The Lords, indeed, so their leader had the courage to tell them, had no alternative but to accept the bill. It had been recommended by the Crown, it had been passed by the Commons; if it were rejected by the Lords, the Lords would place themselves in a position in which they could not stand, because they were 'entirely powerless. Without the House of Commons and the Crown the House of Lords can do nothing.'[4] It was the opinion of a distinguished author that the chief claim which Wellington possesses to be entitled a statesman arises from the manner in which he persuaded the Lords to accept the decisions of the Commons. If this be so, his speech on this occasion must be regarded as his chief Parliamentary achievement, for the doctrine of the impotence of the Peers was never stated with greater plainness either by himself or by any other statesman.

The Corn Bill becomes law.

Wellington's avowal facilitated the further progress of the measure. His speech made it plain to every

[1] *Hansard*, pp. 140, 299 and 721. The third reading was carried by 327 votes to 229.

[2] *Ibid.*, p. 728.

[3] By 211 votes to 164. *Ibid.*, p. 1405.

[4] *Ibid.*, p. 1404.

CHAP. XIX. 1846.

man of sense that the Lords, however much they might dislike the bill, could not hope to defeat it. Protectionists, indeed, still endeavoured to resist the measure, or, at any rate, to substitute a moderate fixed duty of 10*s.* or even 5*s.* for free trade.[1] They had the mortification to find themselves in a minority in their own stronghold. Tory peers, at last convinced of their impotence, ceased to divide, and the third reading of the great measure which established free trade in corn actually passed an unwilling House without a division.[2] Corn, however, was only one of the commodities which Peel desired to liberate from the shackles of a protective tariff. The debates on the Corn Bill were accompanied or followed by discussions on the Customs Bill, and the Protectionists again rallied to support the cause which was already lost. The old arguments were again used to support protection for hops, spirits, silk, cattle, and timber, and the battle of free trade was fought over and over again in Lords and Commons.

In the discussions which thus took place, peers and country gentlemen repeated the blunders from which they seemed hopelessly incapable of extricating themselves. They had to deal with measures which reconstructed a commercial code, and they based their whole objections to it on their own selfish interests. They ought to have made it their business to attack free trade in goods; they made it their especial object to denounce free trade in agricultural produce. If they had taken the former course, faction itself could have only declared them mistaken. By following the latter course a nation of workers pronounced them selfish. Men recollected the report of the Agricultural Society bidding the poor boil, three times over, the refuse bones of the butcher's shop; they remembered the suggestion of a great Duke that a starving people should satisfy their

[1] *Hansard*, vol. lxxxvii. pp. 453, 544. [2] *Ibid.*, p. 959.

hunger with a pinch of curry powder in a basin of hot water; they understood that millions of workers were to be condemned to dear food that a few thousand landlords might be able to extract a little more rent from the soil. 'And ye call yourselves Conservatives, Aristocracies!' so a great writer had written only three years before. 'Ought not honour and nobleness of mind, if they had departed from all the earth elsewhere, to find their last refuge with you? Ye unfortunate!'[1]

Notwithstanding peers and country gentlemen, however, Corn Bill and Customs Bill passed the Lords on the 25th of June,[2] and the protectionists had to content themselves with a barren protest against measures which they were unable to defeat. One satisfaction, however, was still in store for them. Impotent to withstand free trade, they could at least visit their displeasure on the ministry which had ventured to propose it. The passage of the Corn and Customs Bills to the Lords had left the Commons free to revive the discussion of the Life Bill. There was, indeed, some difficulty in assuming that any formidable number of members could be induced to combine against this measure. Its first reading had been supported by the Whigs and the Protectionists, and only opposed by Radicals and Irish. Was it possible to assume that the men who had said 'aye' in May were prepared to say 'no' in June? Politicians, however, find little difficulty in justifying inconsistencies which ordinary men would shrink from committing; and the leaders both of Whigs and Protectionists, in supporting the Life Bill in May, had left themselves a pretext for opposing it in June. Bentinck had declared that it would cease to be justifiable if it were not pushed forward,[3] Russell had undertaken to demand amendments in it at a later stage.[4] Bentinck

The Life Bill defeated.

[1] Carlyle, *Past and Present*, p. 206.

[2] *Hansard*, vol. lxxxvii. p. 961.

[3] *Ibid.*, vol. lxxxv. p. 141.

[4] *Ibid.*, p. 548.

CHAP. XIX. 1846.

therefore could say in June that delay had deprived the bill of its justification, and Russell could assume that it was more convenient to reject the bill than to attempt to amend it in committee. Whigs, Protectionists, and Radicals therefore agreed in combining against Peel; and, on the very night on which free trade was passed by the Lords, the minister experienced his final defeat in the Commons.[1]

One resource was still available. The minister might have appealed from the Parliament which had defeated him to the country which perhaps approved his policy.[2] But Peel shrank from the course which was thus recommended to him. He felt the inconsistencies of his own position, he feared the consequences of a general election fought on the propriety of coercive measures for Ireland, and he preferred the repose of retirement to a protracted struggle with a mutinous assembly. Instead, therefore, of appealing to the country, he announced, on the following Monday, his own retirement.[3]

Peel retires.

The fall of Peel in June 1846 was undoubtedly due to the rage which his policy excited among his followers. They could not forget his sacrifice of protection; they could not forgive the repeal of the Corn Laws. As a general rule the historian has no need to interrupt his narrative to indicate the results of the legislation which he records. But the fiscal reforms which Peel carried were of so much importance, the predictions of his opponents were so signally falsified, that it is necessary to depart from the ordinary rule in the present instance.

The results of Free Trade.

England, so the Protectionists declared, had flourished on Protection. If Protection were withdrawn, they argued, trade would stagnate, agriculture would decay.

[1] By 292 votes to 219, *Hansard*, vol. lxxxvii. p. 1027.

[2] See Peel's *Memoirs*, vol. ii. p. 202.

[3] *Hansard*, vol. lxxxvii. p. 1040.

Fortunately it is possible to test the worth of these predictions by accepted statistics, and the policy which Cobden proposed and which Peel adopted rests no longer on uncertain presumptions but on certain facts. The real or declared value of the exports of British and Irish produce amounted in 1815, the last year of the great war, to 49,653,245*l.*; in 1842 it had fallen to 47,284,988*l.* Such had been the result of twenty-seven years' protection. It had risen in 1869 to 189,953,957*l.* Such had been the result of twenty-seven years of free trade.[1]

It may, however, be thought that these results, startling as they are, do not affect the main issue. Agriculture, so it was asserted in 1846, could not thrive without protection. Farmers pay their income-tax under what is known as Schedule B., and they pay on the rental of their land. The gross assessment of property under this schedule represents, therefore, with sufficient accuracy the agricultural rent of Great Britain. The gross assessment under Schedule B. amounted in 1815 to 38,396,144*l.* It rose in 1846 to 47,170,589*l.* In thirty-one years during which a corn law had existed the assessment had been increased by 8,780,000*l.* In 1877, however, it had risen to 59,300,285*l.*, or by 12,130,000*l.* Thirty-one years of protection had added rather less than 9,000,000*l.* to the annual value of agricultural land in Great Britain. Thirty-one years of free trade had added more than 12,000,000*l.* to it.[2]

[1] The figures for 1815 are from McCulloch's *Commercial Dictionary*, those of 1842 and 1869 from Statistical Abstracts. 1869 has been selected in the text because it is 27 years from 1842, just as 1842 is 27 years from 1815. The results would have looked much more surprising if one of the next four years had been chosen.

[2] The figures for 1815 and 1843 are from the Report of the Commissioners of Inland Revenue for 1870, pp. 185, 192; those for 1877 from the Statistical Abstract. Lord Malmesbury, in his *Memoirs*, vol. i. p. 139, quotes a prediction of his steward's, that the landed proprietors will lose at least 15 per cent. of their rents by Peel's Bill of 1842, and he adds that 'experience has shown that this is far under the mark.' Experience has shown exactly the reverse.

CHAP. XIX. 1846.

There is one other test which may possibly be applied to the measures which Peel originated. In 1815 the population of England and Wales amounted to about 11,000,000; in 1842 it exceeded 16,000,000; in 1869 it exceeded 22,000,000. There are no means of ascertaining the number of poor in 1815, but the roll of paupers amounted in 1842 to 1,429,000,[1] or, in other words, one person out of every eleven was a pauper. The roll of paupers had fallen in 1869 to 1,039,000; and, in round numbers, only one person in every twenty-one was a pauper.[2] This comparison is in some measure imperfect, because it is impracticable to state the exact number of paupers in 1815. But criminal statistics have been kept with more accuracy. In 1815 7,818 persons were committed for trial,[3] or one person in every 1,400 of the population; in 1842 31,309 persons were committed for trial, or one person in every 500 of the population; in 1869 19,318 persons were committed for trial, or one person in every 1,100 of the population.

Three things, then, are beyond dispute. 1. Commerce, which stagnated under protective laws, has been rapidly developed under free trade. 2. Agriculture, which progressed from 1815 to 1846, progressed more rapidly from 1846 to 1877. 3. The social condition of the people, which probably reached its maximum of wretchedness in 1842, was materially improved under the new system. Those persons who are best acquainted with statistics will perhaps hesitate to ascribe the vast improvement in trade, agriculture, and morals to free trade and cheap food alone; other causes, such as steam, have played a part in developing industry, just as other

[1] *Ante*, p. 22.

[2] Statistical Abstract. The comparison would again be much more favourable if a later year had been taken.

[3] The committals and not the convictions are selected, because the committals represent the crime, the convictions its detection. The figures are from Porter's *Progress of the Nation*, p. 642, and the Statistical Abstract.

causes, such as education, have had a part in reforming society. But these reforms have at least been accomplished under free trade, and all the predictions of all the protectionists have proved idle.

For free trade this country is indebted to Peel, for cheap food it is indebted primarily to Cobden. But, just as Peel was the statesman who in 1819 applied Horner's theories to the currency, and who in 1829 applied Canning's principles to religious legislation, so Peel was the minister who adopted Cobden's views and gave a nation untaxed bread. Verily the English reward their chief benefactors in their own way. In old Rome Coriolanus was driven into exile because he denied the people corn. In England Peel was driven from office because he gave the people cheap food.

CHAPTER XX.

CHAP. XX.

1846.

The formation of the Russell Ministry.

THE defeat of Peel in the summer of 1846 placed a statesman in office who had only a minority of the House of Commons to depend on. There were, indeed, two quarters from which some people thought that Russell might obtain assistance. The free traders under Peel might become the allies of the Whigs from conviction, the protectionists from circumstance. Support from the former Russell would have gladly secured, but those of them to whom he applied for co-operation refused to desert their leader in the hour of his defeat.[1] Support from the latter he could only obtain by abandoning the policy of free trade to which he was impelled both by necessity and reason. Unable, therefore, to secure the assistance of the free traders who thought with him; unwilling to apply to the Bentincks and the Disraelis, with whom he had little in common, Russell was forced to rely on his own immediate supporters in the composition of the new ministry.

These supporters were divided into two classes—the old Whigs and the new Liberals. The former comprised the men who had held office under Melbourne, the latter included the advanced thinkers of the party who under Cobden's guidance had destroyed the Corn Laws. A minister who had been both free and wise would have strengthened his administration by the admission into it of one or two of these men. Russell lacked

[1] The men to whom Russell applied were Dalhousie, Lincoln, and Sidney Herbert, three of the latest additions to Peel's Cabinet. *Recollections and Suggestions*, p. 242.

either the liberty or the inclination to do so. He was consequently compelled to form his Cabinet out of the narrow circle of his old colleagues. Cottenham returned to the woolsack, Palmerston to the Foreign Office, Lansdowne to the Council Office, Auckland to the Admiralty, Minto became Privy Seal; Lord Grey, Colonial Secretary; his relative, Sir George Grey, Home Secretary; Hobhouse was appointed to the Board of Control, Clarendon to the Board of Trade, Campbell to the Duchy of Lancaster, Clanricarde to the Post Office, Bessborough, who, as Duncannon, had held office under Grey and Melbourne, became Viceroy of Ireland; he took with him Labouchere as Chief Secretary; Morpeth was sent to the Woods and Forests, Macaulay became Paymaster of the Forces. Russell himself succeeded to the Treasury. He promoted Wood, who almost immediately afterwards, on his father's death, became Sir Charles Wood, to the Chancellorship of the Exchequer.

Its composition.

Each of these appointments was defensible on its own merits. But it was nevertheless possible to urge an unanswerable objection to the Cabinet as a whole.[1] Formed to represent the party of progress, it did everything but represent it. It looked too much like a family party

[1] There is an excellent account of the members of the Cabinet in Lord Campbell's *Autobiography*, vol. ii. p. 203. Exceptionally few changes occurred in the composition of this ministry. (1) Macaulay, defeated at the general election, retired from Parliament and office, and was succeeded by Lord Granville. (2) On the death of Bessborough Clarendon was made Viceroy of Ireland, and at the same time Labouchere was promoted to the Board of Trade, while Sir W. Somerville became Chief Secretary for Ireland. (3) On the death of Auckland Sir Francis Baring became First Lord of the Admiralty. After these changes had been made, Mr. Bright pointed out that the Cabinet contained seven Peers, Cottenham, Lansdowne, Minto, Grey, Campbell, Clanricarde, Carlisle, and two persons, Russell and Palmerston, 'precisely of the same class and order'; and 'five other gentlemen, four of whom are baronets and one is not a baronet. Of these I find that one is the son-in-law and brother-in-law of a peer, another is the son-in-law of a peer, another is the nephew of a peer, another is the grandson of a peer and the nephew of a peer by marriage, and the last is the son-in-law of a peer.' *Hansard*, vol. cv. p. 1209. It may be doubted whether such a description could have been given of any other Cabinet from the days of Pelham downwards.

CHAP. XX. 1846.

to which the nearest and dearest friends of the minister had been invited. The men who had fought the battle of free trade had no place in the Whig council. Mr. Villiers, whose name and whose connections procured him the offer of a seat in the new Cabinet, refused office. Cobden, whose health was driving him abroad, was put off with a civil letter;[1] and the free traders, who had stormed the citadel of protection, saw, as their share of the spoil, the appointment of Milner Gibson to an inferior office in the Board of Trade.

Its principles.

Though, however, the members of the Corn Law League were excluded from office, the principles of the League were the principles of the new ministry. If Peel had remained in power he would have been probably satisfied with the victory which free trade had already secured. Russell used the short remainder of a protracted session to strike down one more monopoly. The circumstances under which he had left office in 1841 gave him some inducements for dealing with the sugar duties. It so happened that two things afforded him an adequate excuse for doing so. Peel had almost necessarily subordinated his financial arrangements[2] to

[1] Morley's *Cobden*, vol. i. p. 403.

[2] The Revenue of 1845–6, which had been estimated at 49,762,000*l.* actually produced 52,009,324*l.* The Expenditure only amounted to 49,400,167*l.* The estimates for 1846–7 were as follows:—

Revenue.		*Expenditure.*	
Customs	£19,500,000	Debt & Consldtd. Fund	£30,675,000
Excise	13,400,000	Army	6,697,000
Stamps	7,450,000	Navy	7,521,000
Taxes	4,230,000	Ordnance	2,543,000
Income Tax	5,100,000	Miscellaneous	3,435,000
Post Office	850,000		
Crown Lands	120,000		
Miscellaneous	300,000		
	£50,950,000		£50,871,000
China Indemnity	700,000	Or with fractions	50,873,000
	£51,650,000		

Hansard, vol. lxxxvi. pp. 1432–1440. This surplus was devoted to certain increased charges, the principal of which consisted of grants made in aid of local revenues, in accordance with Peel's pledge in bringing forward the Corn Law. *Ibid.*, vol. lxxxvii. p. 1321.

the great measure of free trade; and the Budget of 1846-7 showed, in consequence, only a small surplus revenue. A prudent minister might, therefore, reasonably desire a larger income. But, in addition to this consideration, there was a doubt whether the whole supply of free-grown sugar was adequate to the demands of a growing population. Questions both of finance and food pointed therefore to the alteration of the Budget, and to a revision of the sugar duties.

Since 1845, when the duty had been fixed by Peel, sugar the produce of a British colony had paid 14*s.*; sugar the produce of free labour in a foreign State had paid 23*s.* 4*d.*; sugar the produce of slave labour had paid 63*s.*[1] But while the production of free-grown sugar, either in British colonies or elsewhere, showed no symptoms of increase, the demand for sugar consequent on the growth of population was steadily rising, and the price of sugar was gradually increasing. In consequence, sugar, which was once called 'the delight of youth and the solace of age,' became an article of rare luxury among the poor. Sugar.

There was no doubt that people did not abstain from sugar because they had no taste for it, but because they could not afford to buy it. In 1831, when the price temporarily fell to 23*s.* 8*d.* a cwt., the consumption rose to 20 lbs. a head; in 1840, when the price rose to 48*s.* 7*d.*, the consumption fell to 15 lbs. a head; in 1845, the price fell to 32*s.* 11*d.*, and the consumption rose to 20 lbs. a head.[2] It was obvious, therefore, that every reduction in price was immediately succeeded by an increased consumption. But it was difficult to see how an increased demand could be supplied without drawing on the produce of slave-worked estates. The consumption already amounted to 250,000 tons a year.

[1] *Ante*, p. 166.

[2] More exactly 19·58 lbs., Statistical Abstract. Cf. *Hansard*, vol. lxxxviii. p. 57, and McCulloch's *Commercial Dictionary*, *ad verb.* Sugar.

CHAP. XX. 1846.

No one ventured at placing the produce of British possessions at more than 280,000 tons. Sugar grown by free labour in other countries might possibly add another 20,000 tons to the total.[1] If every pound of free-grown sugar had been imported, the consumption could only have been increased from about 20 to about 24 lbs. of sugar a head. But Brazilian slave-grown sugar was obtainable for less than half the price of plantation sugar.[2] Nothing but the large differential duty prevented, therefore, its wholesale importation. The numerous politicians, however, who had made the abolition of slavery the chief object of their lives, thought that the admission of slave-grown sugar would add a new encouragement to the slave trade. It is true that these humane individuals could not deny that northern England depended for its supply of cotton on the slave-owning States of the transatlantic Republic, and that the very sugar which they declined to admit into England was brought by English ships to this country and re-exported to the continental markets. But sentiment rarely reasons. Men like Denman and Brougham, who had stood in the front rank of the battle during the campaign against slavery, doubted the propriety of any change which would indirectly discourage free labour and stimulate the slave trade. They were ready therefore to support the protectionists in resisting the equalisation of the sugar duties. For a moment it seemed probable that the new ministry might be defeated on its first important measure. Such a result might have ensued if a large number of persons had not still followed the lead and adopted the advice of Peel.

[1] These figures are Bentinck's. *Hansard*, vol. lxxxviii. p. 39. They were not admitted by the Government, who placed the total supply of free-grown sugar at 255,000 tons only. *Ibid.*, p. 60.

[2] The average price of Brazilian sugar in the three years ending 1842 was 20*s.* 3*d.*, of British Muscovado sugar 41*s.* 10*d.* McCulloch's *Commercial Dictionary*, *ad verb.* Sugar.

With a generosity which he had never experienced himself, and which ought to have shamed some of his opponents, Peel supported a measure which he disapproved, for the sake of preserving a ministry which had supplanted him.[1] His decision settled the matter. The bill, notwithstanding the opposition of the protectionists and the abolitionists, passed through all its stages and became law.[2]

The change which was thus made left the duty on colonial sugar at 14*s.* a cwt.; it reduced the duty on foreign sugar immediately to 21*s.* and eventually to 14*s.*[3] It had consequently the effect of admitting large quantities of sugar which prohibitory duties had previously excluded from the English markets. It increased the revenue and simultaneously decreased the price.[4] 'We cannot deny,' wrote the chief opponent to the change, 'that the revenue has gained 400,000*l.*, and that the consumers have saved nearly 2,500,000*l.* in the price of sugar.'[5] Perhaps few reforms could be mentioned which have conferred benefits equal to these on the people of this kingdom.

The state of Ireland.

It would have been happy for the Whig ministry if it could have contented itself with reforming the sugar duties. Unfortunately, the necessities of its position forced it to deal with Irish subjects. The news which reached London in July made it certain that to the task of pacifying Ireland would be added the obligation of feeding the Irish. Bessborough and Labouchere, on entering office, shrank from the responsibility of dis-

[1] *Hansard*, vol. lxxxviii. p. 98.

[2] *Ibid.*, pp. 180, 510, 649, 844.

[3] The duty on foreign sugar was to be reduced by about 1*s.* 6*d.* a year till it reached 14*s.*

[4] The quantity of raw sugar retained for home consumption rose from 4,856,000 cwt. in 1845, to 5,220,000 cwt. in 1846, and 5,779,000 cwt. in 1847, the consumption per head from 19·58 lbs. in 1845 to 20·88 lbs. in 1846, and to 23·14 lbs. in 1847. Statistical Abstracts. Since that time the consumption has almost continuously risen, and it has for many years exceeded 60 lbs. a head.

[5] Lord G. Bentinck, in *Disraeli's Life*, p. 521. The passage goes on: 'But with all this, the balance of imperial ruin is so great as to be intolerable.'

CHAP. XX. 1846.

pensing with the exceptional legislation which their predecessors had declared necessary. Ashamed, indeed, to renew the Coercion Bill, which they themselves had been instrumental in rejecting, ministers only asked the House to continue the Arms Bill for another nine months. But the House, which at the instigation of the Whigs had rejected the Coercion Bill, showed itself in no humour for coercive legislation from the new ministry. The Government, rightly interpreting its opinion, withdrew its measure. Whatever happened, it was at least evident that for a short season Ireland was to depend on the ordinary law.[1]

The famine.

In truth, however, coercive legislation was wholly unnecessary in the summer of 1846. A whole people, without food and in many cases without shelter, was dying on the roadside. The disease which had startled Peel in the autumn of 1845 reappeared in the summer of 1846. From every quarter of Ireland the same news arrived. The potatoes were rotting in the ground, and the people were without food. The steps which Peel had taken had postponed but not averted the famine. He had authorised the purchase of large quantities of Indian corn, which he had retailed at very low prices;[2] and he had simultaneously asked Parliament for power to employ the people on public works one half of whose cost should be ultimately repaid by the locality, and to enable grand juries to make presentments for loans for the conduct of other works of a more local nature, the cost of which should be en-

[1] For the bill of the Whig Government, *Hansard*, vol. lxxxviii. p. 575. For its withdrawal, *ibid.*, p. 753.

[2] The purchase was originally authorised through the Barings by a Treasury Minute, dated 9th of December, 1845, *ibid.*, vol. lxxxviii. p. 768. Peel was curiously enthusiastic about this policy. He said a great revolution had been effected by the introduction of Indian corn, *ibid.*, vol. lxxxv. p. 694. The people in the first instance disliked it, and called it Peel's brimstone, Sir C. Trevelyan's *Irish Crisis*, p. 33, note. Retailed at a penny a pound it became rapidly popular, *Hansard*, vol. lxxxviii. p. 771.

tirely repaid by the locality.[1] These measures had undoubtedly limited the distress which famine had occasioned, but they had also checked private enterprise and arrested local effort. Private individuals, on the one hand, hesitated to introduce Indian corn into the country, when Government itself was engaged in the traffic and selling the grain at its own price. Grand juries, on the other hand, refused to employ men on local public works at the expense of the locality when they could be engaged on other works equally advantageous to the locality, half of whose cost was to be defrayed by the State.[2] Nor was this the only evil. It was found that the poor preferred the comparatively easy work, which they were required to perform for the public, to the harder work which was expected of them in private employment. They liked what Russell called 'an unfair day's wages for an unfair day's work.'[3] In consequence, instead of migrating as in other years to Great Britain, they remained at home; and in August, while 97,000 persons were employed on the relief works, farmers in England, in Scotland, as well as in Ireland, were complaining of a want of labour.

Peel's measures for dealing with it.

While then the new Government was not prepared to condemn the steps which Peel had taken in an unexampled crisis, it thought that the time had arrived for reconsidering their policy. It concluded that the importation of Indian corn could safely be left to private enterprise, as the prejudice against its use was disappearing and the demand for it was increasing,[4] and that the best chance of stopping the abuses inherent in

Russell's measures for dealing with it.

[1] *Hansard*, lxxxiii. pp. 183, 223, 432, 540.

[2] Up to the time of the fall of Peel, 450,000*l.* had been expended on works the cost of which was to be partly borne by the State, and only 133,000*l.* on works the cost of which was to fall wholly on the locality, *ibid.*, lxxxviii. p. 766.

[3] *Ibid.*, p. 773.

[4] It was added that private enterprise was ready to undertake the importation of Indian corn if it were freed from public competition. *Hansard*, vol. lxxxviii. p. 778.

CHAP. XX. 1846.

large public works lay in throwing the whole cost of them on the locality. It consequently introduced a new bill authorising the Lord-Lieutenant to summon a Barony Sessions or County Sessions in any distressed district. It empowered and required the magistrates thus assembled to determine the particular work which should be undertaken. The works then decided on were to be carried out under the superintendence of public officers; their cost was, in the first instance, to be defrayed by the Treasury, but the advances made by the Treasury were to be repaid with interest upon them by the locality.[1]

These measures, it was hoped, might do something to check the extravagance and the evils which had resulted from previous legislation. They proved unfortunately wholly unequal to meet the crisis.[2] In 1845 the disease had spread slowly throughout the country. In 1846 the blight fell almost in an instant on the whole crop.[3] 'On the 27th of July,' wrote Father Mathew, 'I passed from Cork to Dublin, and this doomed plant bloomed in all the luxuriance of an abundant harvest. Returning on the 3rd of August, I beheld with sorrow one wide waste of putrefying vegetation.'[4] From every province, from every county, came the same universal cry of destitution. A starving people clamoured for

Their failure.

[1] *Hansard*, vol. lxxxviii. pp. 775, 999. The labour rate was to be paid by the owner and not by the occupier. The Treasury minute, prescribing the manner in which the bill should be carried out, is reprinted from the *Times* in the *Times* pamphlet, 'The great Irish famine of 1845-46,' p. 27.

[2] For a good account of the defects of this Act, see Mr. G. A. Hamilton's speech in 1849, *Hansard*, vol. cvi. p. 1405.

[3] The failure of the potato crop in 1846 was estimated to entail a loss of 11,250,000*l.* on Ireland. The crop covered 1,500,000 acres, and at 10*l.* an acre should have been worth 15,000,000*l.* Three out of every four acres were lost. In addition one third of the oat crop (4,000,000 acres, at 3*l.* 10*s.* an acre) had failed, and its failure had inflicted a further loss of 4,666,000*l.* on Ireland. These figures were given by Labouchere on the high authority of Mr. (afterwards Sir R.) Griffith. *Hansard*, vol. lxxxix. p. 88.

[4] Sir C. Trevelyan's *Irish Crisis*, p. 29.

admission to the relief works. The average number employed in October was 114,000, in November 285,000, in December 440,000. In January 1847, 570,000,' in February 708,000, in March 734,000. It was impossible to exact from such multitudes a degree of labour which would act as a test of destitution.[1]

These figures would have been startling enough if relief had answered its purpose. Unhappily it was too evident that, while a nation was crowding on the works, other thousands in remote districts were perishing of famine. One Dublin paper in the beginning of 1847 reported eight inquests on dead persons in Mayo. The Protestant clergyman of Skibbereen declared that the population of the union had been decimated by famine: an Irish member in the beginning of February said that one-fourth of the whole population would die if effectual relief were not afforded them. A month later it was estimated that 240,000 had already died. The Chief Secretary for Ireland, speaking with the responsibility of office upon him, spoke of his fellow-creatures perishing by thousands.[2]

Government itself was for the moment stunned by these circumstances. Against its own judgment, in defiance of its own precepts, it had been forced to undertake the task of finding employment for a people; and it was daily becoming evident that it was being stifled by its own success. Complaints continually arrived that the roads were blocked by the labourers on the works and by the stones which they were crushing. If work were paid by the day it proved impossible to exact any

The discontinuance of the Relief Works.

[1] *Irish Crisis*, pp. 44, 46. The only serious attempt to check this disastrous state of things, in the autumn of 1846, was made by the issue of what was known as the Labouchere Letter. This was a circular allowing presentments to be made under the Labour Rate Act for the drainage &c. of estates whose proprietors allowed them to be charged with the cost of repaying the advance. The measure, however, as an expedient for diverting the people from the roads, was a failure. *Ibid.*, p. 49. The letter itself is reprinted in the *Times* pamphlet, p. 27.

[2] *Hansard*, vol. lxxxix. pp. 77, 103, 943, and vol. xc. pp. 261, 1102.

CHAP. XX. 1847.

adequate labour from the workmen, and there was no machinery for enforcing payment by results. If Ireland were not to be permanently pauperised, if England were not to sink under the burden of pauperising the Irish, it was plain that the relief works must be discontinued. At the beginning of March, Government had the courage to direct the discontinuance of employment. 20 per cent. of the persons employed on the relief works were to be summarily discharged on the 20th of March; the remaining 80 per cent. were to be subsequently reduced from time to time in proportions to be fixed by the Treasury.[1]

This decision was followed by momentous consequences. The labourers were rapidly reduced in number. 734,000 persons had been employed in March; only 525,000 were employed in April; only 419,000 in May; only 101,000 at the beginning, and only 28,000 at the end, of June. In August the Relief Act expired, and the whole machinery for the employment of the people by the State was terminated.[2]

The organisation of Relief Committees.

Government, indeed, could not discharge tens of thousands of starving labourers without instituting some fresh machinery for their relief. It accordingly resolved on the organisation of temporary relief committees throughout Ireland. Relief, it was thought, could be administered in kind; and the chances of abuse could be lessened by throwing on each locality the duty of gradually repaying one-half of the advances which the Government was willing to make for the purchase of food. A bill introduced for this purpose at the end of January was hurried rapidly through Parliament. Relief Committees were gradually organised under it throughout Ireland. At one moment no less than 3,000,000 persons received daily rations under the

[1] *Hansard*, vol. xc. p. 1248.
[2] *Irish Crisis*, p. 47; cf. *Hansard*, vol. xciv. p. 53.

scheme, and a population was in this way kept alive till the harvest, and the operations which the harvest occasioned, enabled society to resume its ordinary aspect.[1] At the same time bills were carried suspending the duty which Peel had still left on foreign corn, and relaxing the regulations of the Navigation Laws which prevented its importation in vessels which were not British and which were not manned by British seamen.[2]

Fresh measures.

These measures were passed without opposition. The lamentable spectacle of 'a nation breaking stones upon the road,'[3] and destroying the roads by doing so,[4] disarmed hostility. But, as the session wore on, opposition was no longer silent. Two kinds of critics assailed the policy of the ministry. Irish members, fresh from the awful spectacle of a famine-stricken country, clamoured continually, Give, give, give![5] English Radicals, alarmed at the prospect of a pauperised Ireland supported by English taxpayers, protested against the folly and injustice of compelling one nation to maintain the other. It so happened that their arguments were enforced by the example of another portion of the Empire. Those, whom duty or relaxation has carried to the Western Highlands, may, perhaps, amidst the natural beauties which surround them, have reflected on the resemblance which the inhabitants present to their Irish neighbours. Sprung from Irish ancestors, the West Highlanders still retain many of the characte-

The Western Highlands.

[1] Lansdowne's explanation of the Government scheme is in *Hansard*, vol. lxxxix. p. 355. Russell's, *ibid.*, p. 426. For the second reading of the bill in the Commons, *ibid.*, p. 765, in the Lords, *ibid.*, p. 1352. The Act became the 10 & 11 Vict. c. 7. For the numbers fed under it, Sir C. Trevelyan's *Irish Crisis*, p. 64.

[2] The suspension of the Corn Law was suggested in the Speech from the throne, *Hansard*, vol. lxxxix. p. 3. In the Lords' debate on the Address Stanley declared that the suspension of the Navigation Act would be preferable. *Ibid.*, p. 30. Two days afterwards Russell introduced measures suspending both Acts, *ibid.*, p. 210. They were passed through both Houses in four days, *ibid.*, p. 355. France had previously suspended her Navigation Laws, *ibid.*, p. 353.

[3] *Lord George Bentinck*, p. 355.

[4] *Hansard*, vol. xc. p. 627.

[5] 'They sit down and howl for English money.' *Ibid.*, vol. lxxxix. p. 955.

CHAP. XX. 1847.

ristics of the Irish race. Ill-fed, ill-housed, they cultivate the little enclosures on which their cabins are built, and depend for their subsistence on the precarious crop, which they are able with difficulty to grow around their humble dwellings. The seas teem with fish, nature has provided them with natural harbours, yet their want of enterprise induces them to neglect the fishery, and they see their seas swept by hardier fishermen from other ports. If the summer be propitious they pass their life in happiness, if rain or tempest diminish their store they ascribe their misfortunes to the anger of an offended Deity. Superstitious habits of thought raise the presbyter to the position of the priest. Broad as are the outward differences between the Presbyterian and the Papist religion, both are marked by the same intolerance and the same sacerdotalism. The Papist and the Presbyterian would fly at one another's throats, yet there is little distinction between them except in vestments, in ritual, and in names.

Kelp.

During the first third of this century the West Highlanders, like the Irish, had rapidly multiplied. Their multiplication had been stimulated by a peculiar cause. The sea washed on their foreshores at every tide large quantities of seaweed; and the weed or kelp, when burned, produced an ash which contained a strong alkali, and formed a chief ingredient in the manufacture of soap and other commodities. The proprietors of the Western Hebrides derived a large annual revenue from licensing their tenantry as kelp-burners, and the boast of one of them is still recollected, that his shores were lined with a silver fringe. Until after the accession of George IV., the incineration of kelp formed the chief industry of these islands. The price of alkali averaged 10*l.*, and occasionally exceeded 20*l.* a ton. After the war, however, the kelp-burners were subjected to competition. The barilla, a plant of foreign growth, yields

on incineration a larger percentage of alkali than kelp. Alkali therefore could be produced more economically from the one than from the other. Protective duties alone maintained the industry of the kelp-burners. In 1787 Parliament had imposed a duty of 5*l.* 5*s.* a ton on barilla; Vansittart, in 1819, raised the duty on alkali to 11*l.* a ton. In 1822, however, forced to make some concessions, he reduced the duty on barilla from 11*l.* to 8*l.* In 1823 Robinson further reduced it to 5*l.* In 1830 Goulburn lowered it to 2*l.*;[1] while, in 1844, Peel fixed the duty on alkali at 30*s.*, the duty on barilla at only 5*s.* a ton. In 1845 the duty was repealed.

Reductions in the tariff which reduced the price of alkali from about 11*l.* to about 4*l.* a ton stimulated trade to an extraordinary degree, but they had a melancholy effect on the 40,000 or 50,000 persons who were dependent on kelp-burning. Their situation in remote and ungenial islands made it difficult for them to find employment in other industries. Like the neighbouring Irish they had a strong disinclination to remove from the hillside on which they and their forefathers had dwelt. The law gave them no claim to relief, and their landlords or chieftains were in many cases ruined by the change which had brought them to the verge of starvation. The battle of protection could not, under any circumstances, have been won; free trade was the inevitable result of British commerce. But, if the country gentlemen of England had condescended to make kelp and not corn the subject of the battle, they would have had a better case, and a purer, because a less selfish, cause.

A population suddenly deprived of its chief in-

[1] *Hansard*, vol. ii. p. 214. But cf. McCulloch's *Commercial Dictionary*, *ad verb.* Tariff, Barilla, and Kelp. So little was the question understood that Mr. Scrope, in his *Life of Lord Sydenham*, p. 44, talks of the kelp fishery.

CHAP. XX. 1847.

The famine in Western Scotland.

dustry became solely dependent for food on the crops which it was able to extract from its little holdings. No cereal except the oat would ripen in the moist climate of the Hebrides. Like the Irish, therefore, the Western Highlanders mainly depended on the potato, and in the autumn of 1845 the potato failed. Henry Kingsley has described in one of his best novels the terrible scenes which then followed. 'The old folks died first. That was as it should be. . . . Then the children began to die; and this was very bitter, and very, very hard to bear. . . . And then they began to die. Yes! the oldest of the able-bodied men began to lie down, and to fall asleep in a strange quiet way. Perfectly happy, perfectly calm, they would lie for a day or two, and at last give over speaking. In the morning they would be found quietly dead.'[1]

Nothing even in Ireland was more pitiful than the distress which was thus desolating the West Highlands; and, to add to the misery of the Highlanders, their own misfortunes were for some time overlooked because the Irish were more numerous and more noisy. Yet the lairds of Western Scotland showed the Irish landlords an example which the latter might have followed with advantage. In too many cases the absentee Irish landlords remained either in London or abroad, and allowed their agents to take advantage of the crisis to clear their holdings and eject their tenantry. They clamoured for Government aid, and they protested against the injury to their own estates by the application of a poor law to Ireland.[2] The Scotch laird, on the contrary, submitted to his own ruin in a vain attempt to save his people, and, when he applied to the Government, sought

[1] Henry Kingsley adds, 'This is no novelist's fancy: the author has seen what he is describing.' *Austin Elliot*, ch. xli., cf. *Hansard*, vol. lxxxix. p. 192.

[2] For the ejections, see (*e.g.*) the account in *Hansard*, vol. lxxxix. p. 1248, vol. xc. pp. 1006, 1007, vol. xci. p. 270.

no relief for himself, but only demanded help for his tenantry.[1]

In the presence of the greater suffering in Ireland, the Government did little to abate the distress in Scotland Immediate remedy for distress indeed there was none. All that the ministry could hope to do was to mitigate the suffering and to diminish the death rate. But it was at least possible to provide against the recurrence of the disaster. Good might come even out of an Irish famine if its repetition were made impossible, or if the machinery for dealing with it were improved. Whatever other lesson was deducible from the crisis, the failure of the Irish poor law was evident. The Act of 1838 had provided an organisation throughout Ireland for the relief of the poor, but it had made no provision for their relief outside the workhouse. The guardians were empowered to relieve in the house in the first place such destitute poor persons as by reason of old age, infirmity, or defect were unable to support themselves, and destitute children; and, in the next place, such other persons as the said guardians should deem to be destitute poor, and unable to support themselves by their own industry or by other lawful means.[2] The Act gave a preference, therefore, to age, to youth, and to sickness, and it only dealt with the case of the able-bodied poor when there happened to be room for them. But in practice there was never room for all the old, young, and sick in Ireland. Even in ordinary years no accommodation was available for the able-bodied poor; while in 1847 the whole of the workhouses could not have contained 3 per cent. of the poor which required relief. The deficiency of the accommodation which the law had provided was the more inadequate from the conduct of Irish poor law guardians. They showed a strange indisposition to appreciate their real duties.

The Irish Poor Law.

[1] *Hansard*, vol. xc. p. 315.

[2] 1 and 2 Vict. c. 56, sec. 41.

CHAP. XX. 1847.

The rates which they levied in Ireland merely yielded 298,000*l.* in 1845 and 426,000*l.* in 1846. The latter sum was only equivalent to a rate of 7½*d.* in the pound on all Ireland. In one case, instead of raising the rates, they actually closed the workhouse.[1]

Its amendment.

There was one obvious remedy for this state of things. If the principles of the English poor law were applied to Ireland, the scenes of 1846 could hardly be repeated. Landlords would not dare to evict their tenantry if the ejected tenantry became in consequence a burden on the rates. Guardians of the poor could not neglect their duties if they were made responsible for the relief of the destitute able-bodied poor. A good poor law, firmly administered, promised to prove the best possible preventive, and the Government accordingly decided that a new poor law should become the corner-stone of its policy. The main feature of the bill which was consequently brought in was the introduction, when the workhouse was full, of relief outside the house. The Government hoped to prevent the abuse inseparable from outdoor relief by granting it only for temporary periods, on the express recommendation of the Poor Law Commissioners, and by enforcing a rigid labour test. These precautions, however, did not reconcile a great many people to the measure. The institution of outdoor relief, so it was roundly declared, would swallow up the rent of Ireland. Out of a gross rental of 17,000,000*l.* no less than 9,000,000*l.* were diverted into the pockets of the mortgagees. The remaining 8,000,000*l.*, it was argued, could not by any possibility suffice for the support of the 2,500,000 poor whom it was assumed would be thrown on the land.[2]

[1] At Castlebar. The guardians, frightened at the expenditure, closed the house. Yet the rates did not exceed 3*s.* in the pound. *Hansard*, vol. xc. p. 13.

[2] For the bill, *Hansard*, vol. xcii. p. 60. In the case of tenancies of 4*l.* and upwards, the rate was to be divided between landlord and tenant. In smaller tenancies it was to fall

These arguments did not prevent the passage of the measure, but they drew attention to the condition of the Irish landlords. When their poverty was made a reason for resisting an effectual poor law, some measure seemed necessary for removing the encumbered proprietor. The Government decided on facilitating the sale of the limited owner's estate. A bill for the purpose, introduced by Cottenham as Chancellor, passed through all its stages in the Lords, but was ultimately dropped in the Commons.[1] A more elaborate measure was, however, carried in another Parliament in the succeeding year, and means were thereby afforded for enabling the embarrassed owners of life estates to sell their property and discharge their liabilities.[2]

Encumbered Estates Act.

Its results.

These measures were in many respects wise; they were in every respect well-intentioned; and perhaps no Government could have easily foreseen the difficulties which ultimately arose from them. It seemed impossible to imagine that anything but good could come from the substitution of a solvent for an insolvent landowner. Yet the result proved that the new proprietor, often a mere speculator, occasionally a non-resident, had less sympathy with and less thought for his tenantry than the old landlord. One result therefore of the Encumbered Estates Act was the exaction of a higher rental; and the greater rents which were thus demanded prepared the way, thirty years afterwards, for a new land question.

wholly on the landlord. *Hansard*, p. 70. Stanley endeavoured to throw the rate wholly on the occupier. *Ibid.* p. 557.

[1] *Hansard*, vol. xci. p. 262, and vol. xciii. p. 1192.

[2] The Act required the sales to be conducted under the direction of the Court of Chancery. But, as Peel put it in 1849, the Court of Chancery was a place which everyone, from the Chancellor downwards, advised his own friends never to enter. *Hansard*, vol. civ. p. 112. And in accordance with his advice the Ministry decided in that year on entrusting the functions of the Court of Chancery to a Special Commission. *Ibid.*, p. 892, vol. cv. p. 357, and 12 and 13 Vict. c. 77.

CHAP. XX. 1847.

This result, however, was not foreseen at the time; and the ministry hoped that the institution of an adequate system of relief and the substitution of a solvent for an insolvent proprietary, would remedy present evils and ward off future dangers. All parties, however, were not satisfied with these measures. Bentinck proposed that the Government should set the poor to work by the wholesale construction of railways in Ireland. When the shareholders of a line found one-third of the capital, he suggested that the Government should advance the remaining two-thirds at $3\frac{1}{2}$ per cent. interest. He contemplated making these advances to the extent of 16,000,000*l.*; and he hoped thus to provide for an expenditure of 24,000,000*l.* on public works of utility. As the loan advanced by the State was to form a first charge on the undertaking, a railway which earned 2*l.* 6*s.* 8*d.* per cent. on its whole capital would be able to pay 3*l.* 10*s.* per cent. on the portion of its capital advanced by the Government.[1]

Bentinck's proposal for making railways.

The proposal was coldly received by the ministry. Russell declined, indeed, to resist its introduction; but intimated his intention of opposing it at a later stage. Before the second reading came on an intimation was conveyed to his supporters that they must make up their minds to choose between the bill and the Government.[2] The hint was hardly necessary to secure the rejection of the measure, but it increased the majority against it, and after three nights' debate, it was thrown out by a large majority.[3]

This division seemed for the moment to seal the fate of the question. By a singular chance, however, the very men who had defeated Bentinck's plan were destined to revive it in a modified form before three

[1] *Hansard*, vol. lxxxix. p. 773, Disraeli's *Lord G. Bentinck*, p. 375.

[2] The announcement was made at a meeting of the Liberal party at the Foreign Office. *Ibid.*, p. 886, and *Hansard*, vol. lxxxix. p. 1216.

[3] By 332 votes to 118, *ibid.*, vol. xc. p. 123.

months were over. The Government consented to grant a sum of 620,000*l.* as a loan to three Irish railways. This resolution necessarily exposed it to the sneers of its supporters. Except in amount, and in the security which it required, there was not much difference between the policy which it was supporting and the policy which it had refused to sanction; and, though it succeeded in carrying its proposal, it subjected itself to the charge of inconsistency in its decisions.[1]

The Budget

A very great burden was necessarily thrown on the exchequer by the Irish expenditure. At the beginning of March, the Chancellor of the Exchequer admitted that 2,400,000*l.* had been advanced, of which 2,000,000*l.* had been actually spent. He contemplated further advances of about 6,000,000*l.* The famine, therefore, seemed likely to throw a charge of 8,000,000*l.* on the national revenue.[2] It so happened that a dull state of trade rendered an additional burden on the national finances peculiarly inconvenient, and made the ministry hesitate to propose fresh taxation. The revenue of the year, it was estimated, was only likely to exceed the expenditure by about half a million, and the Chancellor of the Exchequer, unable to provide for the famine out of income, decided on raising the necessary amount by a loan. The interest of the new debt which was thus created, and the increased sum which was required to

[1] The scheme will be found explained in *Hansard*, vol. xcii. p. 213. The ministry had originally intended to advance a sum of 1,000,000*l.* for the reclamation of waste lands. The plan was coldly received and ultimately abandoned, and the ministry hoped to get the 620,000*l.* for the railways out of the sum thus saved. *Ibid.*, p. 283.

[2] The sum actually spent did not reach the estimate. The actual expenditure may be summarised from Sir C. Trevelyan's figures as follows:

First Relief Act (9 and 10 Vict. c. 1) . .	£476,000
Grand Jury Presentments (*ibid.*, c. 2) . .	130,000
Second Relief Act (*ibid.*, c. 107) . . .	4,850,000
Distribution of Food (10 & 11 Vict., c. 7) } Medical Relief (*ibid.*, c. 22) . . }	1,676,000
	£7,132,000

CHAP. XX. 1847.

pay the interest on exchequer bills, almost entirely absorbed the small available surplus.[1]

The Dissolution of 1847.

Thus, in finance as in other matters, the policy of the ministry was affected by the Irish famine, and through the greater part of the session men thought and talked of nothing but Ireland. During the whole period, however, politicians recollected that the Parliament of 1841 was naturally drawing to a close. It had lasted for nearly six years, and, with the solitary exception of the first Parliament of George IV., no Parliament in the nineteenth century had been suffered to complete its sixth year. Every honest politician, moreover, desired that the electors should have the opportunity of choosing a fresh Parliament. The issues on which the general election of 1841 had turned had no longer any influence on politics. Protection had been abandoned; Peel had been defeated; and the same House of Commons, which had commenced its career by overthrowing Russell and the Whigs, was concluding its existence by tolerating a Whig ministry. Nothing but a general election could decide whether the country approved the arrangements which had been forced on it. Yet the dissolution of 1847 showed that the people regarded the vicissitudes of parties with comparative indifference. Languor was the characteristic

[1] The Budget figures were as follows:—

Income.		*Expenditure.*	
Customs	£20,000,000	Debt	£28,045,000
Excise	13,700,000	Consolidated Fund	2,700,000
Stamps	7,500,000	Army	6,840,074
Taxes	4,270,000	Navy	7,561,876
Income Tax	5,300,000	Ordnance	2,679,127
Post Office	845,000	Miscellaneous	3,750,000
Crown Lands	120,000		
Miscellaneous	330,000		
	£52,065,000		£51,576,077

—*Hansard*, vol. xc. pp. 324, 326.

The 8,000,000*l.* for the famine was borrowed at 3½ per cent., and the interest on exchequer bills was raised from 1½*d.* to 2*d.* a day, a change which involved a charge of 142,000*l.* The two sums therefore absorbed 422,000*l.* out of the small surplus of 489,000*l.* *Ibid.*, p. 333.

of the election, and the changes which were effected by the polls had little significance. On a few occasions ministers suffered defeat. Hawes, the Under Secretary of the Colonies, was beaten in Lambeth; Hobhouse, the President of the Board of Control, at Nottingham; Fox, the Secretary of the Ordnance, at the Tower Hamlets; and Macaulay at Edinburgh. On the other hand the electors displayed a desire to support members who had distinguished themselves by their advocacy of free trade in food. Cobden, though absent from England, was returned by the West Riding of Yorkshire. Mr. Bright and Milner Gibson were elected for Manchester, and the electors of South Lancashire selected as their representative Mr. C. P. Villiers.[1] Peel's immediate followers also succeeded in commending themselves to the electors. Peel himself retained his seat at Tamworth; Mr. Gladstone, after a sharp contest, returned to Parliament as member for the University of Oxford; Goulburn successfully resisted an attempt to drive him from the sister University; Graham found a seat at Ripon; and Cardwell was returned at the head of the poll for the great borough of Liverpool. If the electors generally showed little distrust in Russell, they everywhere displayed an increasing confidence in Peel.

The dissolution took place in July; the elections occurred for the most part in August, and the new Parliament was complete in the following September. Under ordinary circumstances the ministry would have probably postponed its meeting till the commencement of the following year. In 1847, however, grave and almost unprecedented disasters necessitated its earlier deliberation; for in London commercial embarrassments were threatening ruin; in Ireland famine had

[1] Mr. Villiers and Mr. Cobden were also returned for their old constituencies of Wolverhampton and Stockport.

CHAP. XX. 1847.

been succeeded by violence and 'an organised resistance to legal rights.'[1]

The commercial crisis of 1847.

A curious hypothesis has lately been suggested, that financial crises are in some way or other dependent on the changes which scientific observation tells us are constantly occurring on the face of the sun. The idea is only less fanciful than the original superstition that the sun itself was affected by the petty occurrences which take place on a distant planet.[2] Yet even fanciful ideas occasionally receive some sort of authority from facts. There is apparently strong reason for believing that the spots on the sun's surface vary in intensity with some periodical regularity. Commercial crises are likely to recur, as they have occurred in the past, at regular intervals, and it is of course possible that the periodicity in one case may correspond with that in the other.

It has been frequently stated in this history that the course of events is ordinarily governed by the forces which, for want of better words, may be styled action and reaction. Human nature seems incapable of pursuing a calm, consistent, and moderate policy. Yet it is probable that the great majority of persons are not influenced by the temporary motives which apparently sway the nation. In politics, as in other things, the mass of the people are permanently divided into two great camps; and it is only an unsettled minority which passes over from one side to the other, and produces the great political changes with which every autonomous country is familiar. Just the same thing is observable in commercial circles. Sober-minded persons take their securities, as they take their wives, 'for better or for worse.' But a large and perhaps increas-

[1] See the Queen's Speech, *Hansard*, vol. xcv. p. 12.

[2] Some readers may recollect the sneer of Gibbon. 'As if the sun, a globe of fire, so vast and so remote, could sympathise with the atoms of a revolving planet,' *Decline and Fall*, vol. ix. p. 34.

ing number of persons are not content to act on this simple rule. They are constantly imagining that they can increase their fortunes by changing their investments. Their transactions, when they are confined to one country, do not leave it materially richer or poorer. The loss which one man sustains is compensated by the other's gain; and the investing community, as a whole, only suffer the slight loss which arises from the percentage which it pays to the brokers who conduct the business for them, and for the stamps which the State exacts to ratify its bargain.

If ordinary transactions on the Stock Exchange were confined to transfers of capital from security to security, the financial atmosphere would be rarely or never overcast by the clouds which periodically obscure the sky. Crises arise because men do not merely invest their own capital, they borrow capital from other people for the purpose of making their investments. Some persons think that it is wiser and safer, instead of lodging their money in ordinary securities, to lend it on temporary loans, and large quantities of capital are consequently employed in this way. For this reason, most men of substance find themselves able to borrow capital temporarily on easy terms. The merchant borrows money on the security of the commodities whose arrival he is expecting; the farmer on that of the crops and animals on his farm; the shopkeeper on that of the goods in his shop. The commodities of the merchant, the crops of the farmer, the goods of the shopkeeper, are not always specifically pledged as security for the loan. A man known to be merchant, farmer, or shopkeeper is able to obtain the capital which he requires on his personal security.

Civilisation, among its other consequences, is continually tending to increase the number of traders. Men ignorant of the first principles of trade buy shares

CHAP. XX. 1847.

in companies formed for purposes of trade, and trust their management to directors occasionally as ignorant as themselves. There seems a wide-spread belief among persons with a little capital, that anyone who happens to have a peer for his father, to have inherited a baronetcy, or to have acquired the confidence of a borough or a county, is competent to manage the most delicate financial transactions. If the people who buy shares recommended to them by the social position of the directors confined themselves to investing their own capital, only a trifling harm would result. The less prudent among them, however, like the merchant, the farmer, and the shopkeeper, think that they, too, may trade on borrowed capital. They try to increase their incomes by borrowing capital at a low rate of interest, and employing it at what they consider an advantage.

Thus the great superstructure of trade and business is built on foundations which are sustained by credit, and anything which casts a doubt on the solvency of commercial men shakes the basis on which the commercial system is founded. By the natural law which governs human transactions, confidence tends to be shaken at regular intervals. The histories of all crises are in many respects identical. When a panic has occurred on the Stock Exchange, and has involved many speculators in ruin, the financial atmosphere is temporarily cleared by the fall of the houses whose position was insecure. But the people, cautious from experience, abstain from investing their money at all, or place it in the safest securities. The natural result follows. The funds and other similar securities are forced up to an artificial value, and prudent persons find it more and more difficult to find any remunerative investment. Their inability to find good securities in which they can lodge their savings tempts

them to seek other investments; and vibrating—as crowds will vibrate—from panic to confidence, they again swallow the gilded baits which financial schemers are always ready to dangle before them. Confidence, when it once takes root, is a plant of rapid growth. The shares of a new company, whose aggregate value is comparatively small, are easily forced to a premium. Sanguine investors imagine that they may add 10, 20, or 50 per cent. to their capital by dealing in shares. They place their own capital in shares; they borrow other people's capital to place it in shares; and, congratulating themselves on the success which their confidence has stimulated, they close their eyes to the catastrophe which their recklessness is preparing.

It will, perhaps, be recollected that the speculation which prepared the financial crisis of 1825 mainly occupied itself with investments abroad. South America was the favourite El Dorado in which every capitalist imagined that he should quadruple his capital. The ruin of that year taught investors a salutary lesson; and at the next crisis it was found that the capitalists had shunned the temptation which foreign enterprise had previously held out to them. But the investor had learned no other lesson. He had escaped from Scylla to be engulfed in Charybdis; he had learned to avoid distant undertakings, but he had unlimited confidence in commercial speculations at home. This characteristic of the crisis of 1837 was also visible in the disaster of 1847. On both occasions speculation was busy with home enterprise. In 1837 companies formed for miscellaneous objects attracted investors, while in 1847 capitalists were chiefly tempted by the prospects which railways were supposed to afford.

There can be very little doubt that the steps which were taken by Parliament in 1826 and 1837 partly stimulated the excitement of 1837 and 1847. In 1826, the

CHAP. XX. 1847.

Legislature, alarmed at the fall of private banking houses, sanctioned the formation of joint-stock banks; and the new banks, competing one with another for business, promoted the formation of the companies whose ruin was the leading feature of the crisis of 1837. In 1837, the Legislature, moved by the development of commercial enterprise, approved the introduction of limited liability. Investors are among the least discreet of the human family. When they saw that, in the generality of companies, their liability was limited to a definite sum, they imagined that they had taken the only precaution that was required of them; though in many, perhaps most, cases, the liability was fourfold, or even tenfold, the amount paid on their shares.

It would be a grave mistake to imagine that either the formation of joint-stock banks or the introduction of limited liability into commercial enterprise was necessarily injurious because each measure was responsible for the development of a fresh crisis. On the contrary, a crisis would in all probability have occurred under any circumstances, and all that the Legislature did was to regulate to some extent the form which it assumed. In the same way it has been sometimes complained that Peel's Act of 1844 was partly responsible for the crisis of 1847. It would be as reasonable to urge that improved agriculture was the direct cause of famine. Yet there can be no doubt that the man who increases the production of the soil stimulates population, and therefore makes famine when it recurs more fatal; and, in the same way, there can be also no doubt that the Act of 1844 had the temporary effect of making money cheaper, and consequently of stimulating speculation.

Up to a short time before the passage of the Act of 1844, the Bank had acted on the principle of keeping its securities at a nearly even amount.[1] After 1844,

[1] Tooke's *History of Prices*, vol. iv p. 374.

its directors, fancying that their circulation was secured by the separation of the issue from the banking department, entered into much more active competition with other institutions. In September 1844 the rate of discount on the highest class of bills was reduced to 2½ per cent.; and in March 1845 this reduced rate—a lower rate than had ever before been adopted—was applied to both bills and notes.[1] Cheaper money naturally stimulated speculation. Perhaps few persons who have not had the actual figures before them can have any conception of the extent to which speculation grew. Anyone who will turn to the files of the *Times* of November 1845 will, however, be in a position to appreciate the nature of the mania. In its issue of the 17th of November, the *Times* published an elaborate analysis of the schemes before the public. Forty-seven completed railways were asking for powers to raise 70,000,000*l.*; 118 railways in course of construction were requiring 67,000,000*l.*; 1,263 projected railways were seeking to raise 563,000,000*l.* These companies alone, therefore, were simultaneously contemplating the raising of 700,000,000*l.* of money, a sum which may seem more intelligible to many people if it is added that it is nearly equal to the national debt of the United Kingdom, at the present time.[2]

For some time the mania showed no signs of abatement. Peel himself, by his language in and out of Parliament, did much to encourage it. The reserve at the Bank showed no symptoms of exhaustion. Both capital and bullion flowed into the country; and at the end of August 1846 the Bank had more than

[1] Tooke's *History of Prices*, vol. iv. p. 63.

[2] *Times*, 17th November, 1845. Mr. Dawson, in a paper read before the Statistical Society in 1847, and quoted by Tooke in *History of Prices*, vol. iv. p. 299, seems to have overlooked the analysis of the *Times*. He places the railway capital for which Parliamentary sanction was required at 340,000,000*l.*

CHAP. XX. 1847.

16,000,000*l.* of gold in its coffers, and 10,000,000*l.* of this sum was in the banking department.[1]

A speculation of this character must sooner or later have been followed by a crisis. But the crisis might possibly have been delayed for some months if the blight had not fallen on the potato in the autumn of 1846. It became gradually clear to everyone that the deficiency in the home supplies of food would necessitate large purchases of food abroad, and that gold would be taken out of the country to pay for corn. The bullion of the Bank on the 23rd January 1847 was in this way reduced to a little more than 13,000,000*l.*, and the Bank directors, observing or apprehending the commencement of a drain of gold, raised the rate of discount to 4 per cent.

The change which was thus made in the rate of discount had not the effect of checking the drain. On the contrary, the reserve continued to decrease throughout January, February, and March. In the beginning of April the Bank had less than 10,000,000*l.* of bullion, and less than 3,500,000*l.* of reserve. Alarmed at the continued drain, its directors raised the rate of discount to 5 per cent. This addition to the rate, however, was only one feature in its policy. The minimum Bank rate applied only to bills with 95 days to run. The Bank, on the 15th of April, decided that it should apply to all bills, and that when the applications for discount exceeded the whole sum which the Bank was prepared to lend on any day, a *pro rata* proportion of the bills presented should be returned. Such a stipulation had not been made by the Bank for more than fifty years. It created panic, it almost paralysed trade. But the severe remedy fulfilled its purpose. The drain of bullion ceased; the position of the Bank improved; and, what

[1] The figures will be found conveniently in Tooke's *History of Prices*, vol. iv. p. 303.

was perhaps more exceptional, no commercial disaster of unusual importance occurred.

For three months affairs in the commercial world continued to improve. But, as the summer advanced, a new cause produced a new crisis. In the autumn of 1845 the failure of the potato crop had led to a drain of gold. In the summer of 1847 the unexpected productiveness of the wheat harvest led to a remarkable fall in the price of corn. The price of wheat fell from 102*s.* a quarter at the end of May to 50*s.* a quarter at the end of August.[1] Such a fall must, under any circumstances, have been ruinous to persons engaged in the corn trade. The ruin was more wide-spread in 1847 because the failure of the potato had naturally increased the speculation in corn. Houses which had been shaken by the events of the spring were ruined by the course of trade in the summer. The Governor of the Bank of England and one of his immediate predecessors in that office failed; two other directors of the Bank of England failed. In London, in Liverpool, in Manchester, and in Glasgow houses with a reputation for stability tumbled down amidst the general ruin.

These failures produced pressure on the Bank, which was compelled to contract its advances. Men unable to obtain accommodation in the market were forced to sell their securities. The price of consols, which had averaged 95¾ in 1846, fell to 82 in October 1847.[2] Speculative stocks became actually unsaleable. Men unable to realise the shares in which they had placed their savings pressed their bankers for advances. The Bank, fearing the exhaustion of its resources, again hardened its terms, and at last, on the 1st of October,

[1] Tooke's *History of Prices*, vol. iv. pp. 411, 413.

[2] Statistical Abstract, second number, p. 75; cf. *Ann. Reg.*, 1847, Chron., p. 120.

CHAP. XX. 1847.

took the unprecedented step of declining to make any loans whatever, even on stock or exchequer bills.[1]

Then ensued a period of alarm which has rarely been witnessed in the City of London. The funds fell to 78. Banks whose solvency had been above suspicion were prostrated in the universal crash, and at one moment it seemed as if the Bank of England would alone remain erect amidst the ruins which surrounded it. Men, agitated by the universal collapse, and unable to reason calmly on the catastrophe, threw the blame on the Bank Charter Act, on Peel, and on the ministry. The opponents of the Bank Charter Act, however, laboured under a radical difficulty. The Chancellor of the Exchequer was a warm supporter of the Act of 1844; Peel, the most powerful member on the Opposition benches, was the statesman who was responsible for it. It was no easy matter to get rid even temporarily of a financial measure which had been introduced by Peel and which was approved by Wood, and for the first three weeks of October the ministry refused to be moved by the panic and to suspend the Act.

The confidence of the Cabinet, however, did not allay the prevailing panic. The storm continued to rage; ruin continued to spread. Alarmed, at last, by the extent of the catastrophe, and moved by the remonstrances of the City, the Government on the 25th of October gave way. Russell and Wood, Prime Minister and Chancellor of the Exchequer, took upon themselves to recommend the directors of the Bank 'to enlarge the amount of their discounts and advances upon approved security,' and promised, 'if this course should lead to any infringement of the law, to propose to Parliament, on its meeting, a bill of indemnity.[2]

[1] *History of Prices*, vol. iv. p. 315. For the defence of the Bank see Sir C. Wood's speech in *Hansard*, vol. xcv. p. 398.

[2] The letter from the Government may be found in a dozen places.

Few letters have had a more instantaneous effect than the letter which was thus addressed by the Government to the Bank. The moment that it was perceived that the restraints imposed by the Act of 1844 were removed, confidence returned. Money which had been locked up in panic was released, and business slowly and gradually resumed its ordinary channels. The mere knowledge that the Bank had authority to infringe the law made its infringement unnecessary; and the Bank, on being authorised to increase its circulation, found it possible to reduce it. Circulation, if the image be permissible, had been congealed by panic; it was thawed by the warmth of returning confidence.[1]

It is the business of the historian to state facts and not to obtrude his opinions on his readers; and the present writer has almost uniformly endeavoured to abstain from criticisms of his own. But there are occasions when the purposes of history would hardly be fulfilled if this course were strictly followed. The passage of the Act of 1844, and its suspension in 1847, are instances in point. They led to so much controversy at the time, they have been responsible for such differences of opinion since, and the conflict has been fought out on such purely technical grounds, that the student who is devoid of guidance may despair of arriving at any just conclusion upon them.

Much difference of opinion would, indeed, have been avoided if men had placed clearly before themselves the object of the Act of 1844. That Act, a corollary to the proceedings of 1819, was intended to ensure the convertibility of the bank-note. The issue department of the Bank of England was consequently severed from the banking department. Logically,

[1] Perhaps the most accessible to most people is Tooke's *History of Prices*, vol. iv. p. 449. *Ibid.*, vol. iv. p. 323.

CHAP. XX. 1847.

perhaps, it would have been better to have made the separation geographically and organically complete, and to have placed the issue department under the direct control of Government itself. In that case the confusion which has since arisen could not have occurred, and men could not have talked of one department of the Bank of England being full of gold, while the other was in want of gold. But legislation in England is rarely pushed to its logical extreme. It would perhaps have been impossible to have carried a measure which removed the issues from the control of the Bank; and Peel therefore, if he did not take the best course in 1844, chose perhaps the best practicable course which was open to him.

Anyone who will regard the Act of 1844 from this limited basis will probably cease to find fault with its provisions. It undoubtedly answered the chief purpose of its projector in ensuring the convertibility of the banknote. But this circumstance had very little influence in allaying panic. As a general rule, no one doubted the solvency of the Bank or the convertibility of its notes. Commercial men simply regarded one another with suspicion. Business was still built on credit; any blow to credit produced ruin; and the ruin was just as marked after 1844 as it had been before the Bank Charter Act.

But a harder topic still remains for consideration. If the Act of 1844 were wise, was its suspension in 1847 justifiable? The Act compelled the directors of the Bank to rely in times of pressure on its banking reserve alone. By doing so, it undoubtedly supplied a guarantee that the business of the Bank should be conducted, under ordinary circumstances, in the most prudential manner. It made it difficult for the directors to aggravate a crisis by inflating credit. But when the crisis arrived it probably reduced the capacity of the directors

to relieve the pressure. It threw consequently on the Government the responsibility of devising means for mitigating distress. It is a remark of Mill's that an extension of credit is hurtful when, credit being already in an inflated state, it can only serve to retard and aggravate the collapse; but that it is salutary when the collapse has come.[1] The real question for the consideration of the Government in 1847 was whether it was desirable to allow its own credit to be used to restore confidence in the commercial world. Whether, to put the matter in another way, it would have been desirable, if the issue department of the Bank of England had been a Government office, as the Mint is a Government office, to have suspended the arrangements for ensuring the convertibility of the note for the sake of preventing a huge commercial disaster.

Placed in this way, only one answer can apparently be returned to the question; and the propriety of the Government, in suspending the Act of 1847, instead of being disputable on principle, seems to be narrowed to a mere question of time. On this issue it is hardly worth while spending many words. It is sufficient to say that, in such a crisis, it is probably wiser and better to act a little too late than a little too soon; that the tendency of all Governments is to follow rather than to guide; and that probably Wood might have restored confidence a little sooner if he had hazarded action a little earlier.[2]

[1] *Principles of Political Economy*, Book iii. ch. xxiv. sec. 4.

[2] In proposing to the Bank that it should enlarge its discounts, Russell and Wood suggested that the advances should be made at not less than 8 per cent. interest. It may, perhaps, be worth while to point out that this stipulation could not have been made a dozen years before; the usury laws having been only partially and provisionally repealed in 1837, and only permanently repealed in 1839. For many centuries all usury was illegal. The dictum of David that blessed is the man 'who hath not given his money upon usury' settled the matter. In the 16th century, Calvin, shaking himself free from Rome, had the merit of exposing the absurdity of this view (McCulloch's *Principles of Political Economy*, fifth edition, p. 485, note); and the requirements of an increasing

CHAP. XX. 1847.

The Government, in its letter to the Bank, had both suggested and sanctioned a breach of the law. It had relied in doing so on obtaining from Parliament an indemnity for its conduct. In the result, the law had not been broken, and a Parliamentary indemnity was not therefore necessary. But a Government which had taken the extreme course of proposing the suspension of

trade compelling men to borrow, statesmen, instead of prohibiting, endeavoured only to regulate the interest of money. An Act of 1545 (37 Henry VIII. c. 9) fixed the legal rate of interest at 10 per cent. But this Act was practically repealed in the following reign; and usury became again illegal (5 and 6 Edward VI. c. xx.) and see *Froude*, vol. v. p. 60. But this retrograde measure, so Parliament eighteen years afterwards was forced to confess, did not do 'so much good as it was hoped that it should' have done, and the Legislature was forced to retrace its steps. Scripture plainly pointed to the prohibition of usury; reason taught men that it was idle to enforce the strict principle of Scripture. Conscience pointed one way, expediency the other; a compromise was necessary between conscience and expediency, and it was expressed in one of the most illogical sections in the Statute Book. 'Forasmuch as all usury being forbidden by the law of God is sin and detestable: be it enacted' that —— no one shall take more than 10 per cent. for his money, 13 Eliz. c. 8, sec. 5.

Ten per cent. continued the legal rate till 1623, when it was reduced to 8 per cent. in the interest of the landowner. But the landlords who thought proper to make this arrangement for their own convenience had the hypocrisy to add that 'no words in this law shall be construed to allow the practice of usury in point of religion or conscience' (21 Jac. I. c. xvii. sec. 5). The rate was further reduced to 6 per cent. in the Commonwealth, and to 5 per cent. in the reign of Anne (12 Anne, c. 16).

The existence of these statutes had a contrary effect to that which the Legislature proposed. 'Men who have money to lend do not lend it for less than its worth because Parliament chooses to say that only a certain rate of interest shall be payable on a loan. They either add a commission to the rate of interest, as is commonly done still in that part of the British Empire where usury laws still prevail, or they stipulate that they shall only advance a percentage of the nominal amount of the loan, or they adopt some equally efficacious procedure for evading the law. Yet, notorious as these evasions were, a long period elapsed before the Legislature consented to amend the law. A Select Committee of the House of Commons, indeed, recommended the repeal of the usury laws (the report is reprinted in *Ann. Reg.*, 1818, Chron. p. 373), but it was not till the beginning of the present reign that the law was repealed so far as bills of exchange not having twelve months to run and contracts for loans of money were concerned; and it was not till 1854 that the whole of the laws were swept away, 2 & 3 Vict. c. 37, 13 & 14 Vict. c. 56, and 17 and 18 Vict. c. 90. Cf. for the effect of the laws in 1818, *Romilly*, vol. iii. p. 350. Mr. Lecky has dealt with the whole subject in an admirably comprehensive passage in the *History of Rationalism*, vol. ii. pp. 250-270. See for earlier attempts to repeal the law, *Hansard*, first series, vol. xxxiv. p. 723, new series, vol. xi. pp. 283-319; *ibid.*, vol. xii. p. 150; *ibid.*, vol. xiv. p. 409; *ibid.*, vol. xix. pp. 816, 1437; *ibid.*, vol. xxiv. pp. 56, 493.

an Act of Parliament could not shelter itself under the excuse that the Bank had not found it necessary to adopt its advice. It was morally bound to give Parliament the earliest opportunity of pronouncing an opinion on its conduct, and it accordingly called the new Parliament together on the 18th of November. The course which the ministry took in both Houses was very simple. It referred the whole question of the causes of commercial distress, and of the operation of the Act of 1844, to Select Committees. But the debates which took place on the motions practically settled the matter. It became abundantly evident that the highest authorities approved the course which the ministry had taken; and that they were in favour of retaining the Act of 1844.[1]

Renewed outrages in Ireland.

Ostensibly, Parliament had been summoned to pronounce an opinion on the commercial policy of the ministry. But its assembly enabled it to deal with the state of Ireland. The old eternal difficulty had recurred. Famine had been followed by discontent, discontent had produced disorder, and the landlords who lived on their property, as well as those who had deserted their duty, were clamouring for coercion.

Their frequency.

The cry was intelligible enough. On the 16th of September, Michael Connell was shot dead in open day in Limerick. The next day, in the same county, Michael Kelly was shot. Michael survived the wound and was placed under the protection of the police. Within a week his brother John was shot dead. On the 2nd of October, Mr. Roe, a landlord and magistrate

[1] The debates are in *Hansard*, vol. xcv. pp. 374, 531, 604. The Lords' debate in *ibid.*, p. 481. But the three speeches which contain the gist of the whole subject are Sir C. Wood's, *ibid.*, p. 374; Wilson's (a maiden speech) p. 414; and Peel's, p. 650. Herries subsequently proposed two resolutions, (1) approving the policy of the Government, and (2) declaring the expediency of suspending the provisions of the Act of 1844 in relation to the issue of notes, *Hansard*, vol. xcvi. p. 803. The first of these was passed, the second rejected by 163 votes to 122, *ibid.*, p. 863.

CHAP. XX. 1847.

of Tipperary, was shot dead on the high road, in open daylight, near his own house. On the 3rd, John M'Eniry was shot dead. On the 8th, Timothy Hanly, Mr. Otway Cave's woodranger, was shot dead in Tipperary. On the 11th, Peter Nash was shot, and died an hour afterwards, in Limerick. On the 18th, Mr. Lucas, a landlord, was shot dead in King's County. On the 24th, Patrick Ryan, Mr. Kellett's steward, was shot dead in Tipperary. On the 30th, Michael Welsh, Mr. O'Callaghan's steward, was shot dead in Clare. On the 2nd of November Major Mahon was shot dead in Roscommon. On the following night the house of Mr. Meade in Limerick was attacked for arms, and Mr. Meade dangerously wounded. On the 5th, a police constable in King's County, while protecting Mr. Garvey, a magistrate, was shot and wounded. Patrick Clearey, a Limerick smith, was shot at and wounded—as it proved, mortally—about the same time. On the 7th, Edward Devitt was mortally wounded in Tipperary, while aiding a neighbour to defend his house. On the 12th, Mrs. Ryan, wife of a bailiff, was shot dead in Limerick. On the 13th, Mr. Hassard, treasurer of the county, was shot; he died shortly afterwards of his wounds in Clare. On the same evening Mr. Bayley, a landlord and magistrate, was shot and dangerously wounded in Limerick. On the 16th, a man named Quin was shot at in Tipperary. On the 17th, Patrick Larkin and his son were both shot and wounded in Limerick. On the 18th, Mr. Hill, a land agent, was shot dead in Limerick, and a man who was with him was mortally wounded. On the 23rd, Kelly, a collector of poor rates, was shot in Roscommon, and on the 28th, a clergyman, Mr. Lloyd, returning from church, was shot dead near Aughrim.

This is only an extract from the dreary history of crime in Ireland in the autumn of 1847. But it will

make a very imperfect impression if some other circumstances are not stated. Nearly all the grave offences which have been instanced occurred in Clare, Limerick, and Tipperary. The rest of Ireland enjoyed a comparative immunity from crime.[1] Many of the murders, moreover, were committed in open day and in crowded localities; yet, with few exceptions, no one was arrested for these crimes. The murderers, protected by the people, in almost every case escaped; and the hillsides in some instances were illuminated in celebration of murder.

The course which the Government should have taken under these circumstances was plain. It should have strengthened its police for the preservation of life, and it should have altered the law and made arbitrary evictions impossible. The Whig ministry of 1847 adopted only one of these courses. It took no steps to give security to the cottier, but it took advantage of the short autumn session which the commercial crisis had necessitated to introduce a new Coercion Bill. The Lord-Lieutenant was empowered to proclaim a district; in a proclaimed district he was authorised to increase the police force and to charge the increased cost on the ratepayers. In such a district the carrying of arms without a licence was to be illegal Where a murder was committed, the justices and constables were authorised to require all male persons from sixteen to sixty years of age to aid them in searching for the murderer.[2]

Fresh measures of coercion.

The bill was received with mixed feelings. Irish members complained with some force that a ministry,

[1] Out of 195 serious crimes—homicides, firing at the person, firing into dwelling-houses, and robberies of arms—139 were committed in Clare, Limerick, and Tipperary. These counties only contained 13 per cent. of the population, yet they furnished 71 per cent. of these crimes. *Hansard*, vol. xcv. pp. 276, 277. *Ann. Reg.*, 1847, Chron. pp. 133, 135. For the trials in some of these cases, see *ibid.*, 1848, Chron. pp. 334–363.

[2] *Hansard*, vol. xcv. pp. 270, 310.

CHAP. XX. 1847.

which had come into office by defeating a Coercion Bill, should have followed the example of its predecessors and reverted to a policy of coercion. English members, on the other hand, declared that the measure was inadequate, and that a sharper remedy was required. As the *Examiner* put it, 'a bill to hang first and try afterwards would hardly be thought to exceed the requirements of the case.'[1] Cowed by the general feeling of the country, the Irish failed seriously to contest the measure. The independent English members succeeded in making it more severe by declaring accessories after the fact punishable for murder, whether the actual murderer was discovered or not.[2] Extended in this way in its operation, the bill was rapidly passed through both Houses; and Parliament, thus endorsing the commercial policy of the Government, and thus applying a new Coercion Bill to Ireland, separated for Christmas.

Compensation for improvements.

Though, however, the ministry had taken steps for the preservation of order, it could not permanently ignore the causes to which disorder was attributable. When Parliament reassembled after Christmas, Somerville, who had succeeded Labouchere as Secretary for Ireland,[3] introduced a bill to give security to the Irish tenant for the improvements which he had made. But the bill perished almost in the hour of its birth.[4] Disliked by landlords for what it did, disliked by Reformers for what it did not do, it made no progress. Other cir-

[1] *Examiner*, 5th of December, 1847; *Hansard*, vol. xcv. p. 718.

[2] *Ibid.*, p. 961, 11 and 12 Vict., c. 2, sec. 18. The history of this measure, which was the result of a compromise, will be found fully told in Greville's *Memoirs*, second series, vol. iii. p. 104.

[3] Lord Bessborough, the first of Russell's Lord-Lieutenants, died in May 1847. For very pleasing notices of him see Greville's *Memoirs*, second part, vol. iii. p. 82; *Life of Spencer*, p. 52. He was the first Viceroy who had died in office for sixty years. He was succeeded by Clarendon, the President of the Board of Trade. Labouchere became President of the Board of Trade in succession to Clarendon, and Somerville, who sat for Drogheda, succeeded Labouchere.

[4] The bill was read a second time and referred to a Select Committee, *Hansard*, vol. xcviii. p. 69.

cumstances soon directed the attention of its promoters to fresh measures of coercion. Amidst the clash of arms conciliation was again forgotten, and the gross evils of the Irish land system were left unremedied.[1]

If, indeed, Ireland had been solitary in her discontent, events in 1847-8 might have flowed in a different channel. The course of Irish politics, however, was suddenly modified by the revolutions which convulsed the continent of Europe. An account of these events will more properly fall within the compass of a later chapter. Here it is only necessary to point out the influence which they exerted in Dublin. Occurrences such as those of 1847-8—the Austrians driven out of Italy, the King of the French a fugitive from France, the Pope flying from Rome, Metternich and Guizot companions in exile—were calculated to stir the pulse of every republican. Lamartine, moreover, who immediately became the guiding spirit of the Provisional Government in Paris, who had passed his youth in converse with his books, his heart, and his thoughts, who sought in his Tacitus arguments against modern empires,[2] was exactly the character whom the imaginative writers of the *Nation* were likely to imitate. The aid of France had been the dream of Ireland as well as of Italy. The hour for oppressed nationalities, so Lamartine declared, had come. France would not stand by and witness their repression.[3]

The Revolution of 1848.

Equality is the maxim of Republicanism, yet the first action of Republicans is usually to place themselves under a leader, and among them, as among monarchists, the lead is frequently accorded to birth. The patriots of 1798 arrayed themselves under a Fitzgerald; the patriots of 1848 chose a leader in an O'Brien. Smith

Smith O'Brien.

[1] Somerville's bill gave the tenant compensation to a limited extent for improvements undertaken with the landlord's consent, or, after notice to the landlord, with the concurrence of arbitrators appointed under the Act, *Hansard*, xcvi. p. 673.

[2] Lamartine, *Histoire de la Révolution de* 1848, vol. i. p. 74.

[3] *Ibid.*, vol. ii. p. 30.

CHAP. XX. 1848.

O'Brien had for years past been a respectable member of Parliament. He had dissented from the counsels of peace which O'Connell gave in 1842; he had objected in 1846 to serve on a railway committee on the ground that England had not done justice to Ireland;[1] but he had little in common with the party of which he was the leader. Duffy, Davis, Meagher, Mitchell, were young men buoyed up by the enthusiasm of youth; O'Brien was a middle-aged man whose temperament was already subdued by the advance of years. They, like foam, had floated to the surface through the elevating force of their own abilities. He was only saved from sinking into obscurity by the sustaining power of a great name. They fanned one another's passions by the warm breath of their own poetry; he froze his audiences by the dulness of his prose. The songs of the *Nation*, the speeches of Meagher, still stir the blood of those who read them and disapprove. No pulse was probably ever quickened by any of the many contributions which Smith O'Brien made to the pages of 'Hansard.'

Duffy and Davis in 1842 had condemned O'Connell for lagging behind them; Meagher and Mitchell in 1848 outstripped Duffy. The *United Irishman*, of which Mitchell was the editor, became a much more fervent and a much more popular newspaper than the *Nation*. Meagher repeated on the platform the advice which Mitchell disseminated in his newspaper, and war, if the language of Irish patriotism could be relied on, became every day more probable.

Fresh measures of coercion.

Yet the movement which was thus announced with pomp and vanity was destined to lead to failure and ridicule. Lamartine, reflecting that the good-will of England was worth more than the promises of the Irish, told an Irish deputation, with Smith O'Brien at its head,

[1] *Hansard*, vol. lxxxv. pp. 1071, 1153, and vol. lxxxvi. p. 966.

that it was not meet[1] for France to intervene in the affairs of a country with which she wished to remain at peace. The ministry, determined to stop rebellion at the outset, decided on prosecuting Smith O'Brien and his associates. Before the actions which were thus instituted were tried, it introduced a fresh measure of coercion. Doubts had arisen whether Pitt's Act of 1796 or Castlereagh's Act of 1817, by which the Act of 1796 was made perpetual, were or were not applicable to Ireland. These doubts were removed, but offences against them were declared to be not treason but felony, punishable with transportation.[2] On the other hand, a new provision of unprecedented severity was imported into the law, and any person who 'by open and advised speaking' compassed the intimidation either of the Crown or of Parliament, was made guilty of felony.[3]

This provision did not constitute the only measure of precaution. Revolution on the Continent had been followed by an inroad of foreigners into the United Kingdom; and the Government decided on temporarily renewing the provisions of the Alien Acts, and on taking power to remove suspected foreigners from the country.[4] Such legislation looked inconsistent enough from the hands of a Whig ministry. Russell had begun his

[1] 'Convenable,' *L'Histoire de la Révolution*, vol. ii. p. 268.

[2] *Hansard*, vol. xcviii. p. 20, and 11 and 12 Vict., c. 12, s. 3. This modification of the law seems to have been suggested by Campbell. See *Autobiography*, vol. ii. p. 239.

[3] Russell, before going into Committee, gave an undertaking that the provision against open and advised speaking should be only temporary. *Hansard*, vol. xcviii. p. 239. The words 'open and advised speaking' after this assurance were retained by 188 votes to 79, *ibid.*, p. 379, and on report by 83 votes to 39, *ibid.*, p. 420. The amendment making the provision temporary is in *ibid.*, p. 421, and see the 4th section of the Act.

[4] The Crown and Government Security Bill was introduced into the Commons on the 7th of April, was carried to the Lords on the 18th, and received the royal assent on the 22nd of April. *Hansard*, vol. xcviii. pp. 20, 480, 537. The Aliens Removal Bill was introduced into the Lords on the 11th of April, was read a second time in the Commons on the 17th. *Ibid.*, pp. 135, 560.

CHAP. XX. 1848.

Parliamentary career by opposing the Alien Acts; he had come into office by opposing a Coercion Bill. But office frequently induces public men to change the views which they have expressed in opposition, and Parliamentary reform had made it easy for a minister to obtain powers which could not have been secured from an unreformed Parliament. The people readily assented to a ministry which relied on popular support assuming functions which it would not have entrusted to a Government which owed its origin to the favour of a king or the will of an oligarchy; and this disposition on the part of the people to entrust ministers with extreme powers was especially visible when the party was in office which identified itself most closely with the cause of the people. There was no objection—so ran the excuse—to entrust unconstitutional powers to a constitutional ministry. Armed with this apology, the men who had resisted the Six Acts could vote with an easy conscience for the Coercion Act of 1833 or the still graver remedies which Russell adopted in 1848. They closed their eyes to the objections to the measures before them, and relied on the position of the men entrusted with their administration.

Armed with the special powers which Parliament had entrusted to it, the ministry addressed itself to the task of re-establishing order. The original prosecutions against Smith O'Brien and his associates failed, the jury being unable to agree on a verdict.[1] But fresh proceedings against Mitchell succeeded, and the court sentenced him to transportation for fourteen years.[2] His imprisonment removed the ablest and boldest leader

[1] *Ann. Reg*, 1848, Chron. p. 364.

[2] *Ibid.*, p. 384. Mitchell was tried by a jury from which the Crown struck off every person who was a Roman Catholic. The authorities ordered every person to be challenged whose political opinions were supposed to agree with those of the prisoner. But in actual fact every Roman Catholic was challenged. See for debate on this jury, *Hansard*, vol. xcix. pp. 2–4.

from the ranks of the confederates. His sentence, it was thought, would be the immediate signal for a general insurrection. But the Irish, though they are always talking of insurrection, seldom rise. Their leaders, from O'Connell downwards, quote with approval the words with which Byron incited the hereditary bondsmen of Greece to rebel. From O'Connell downwards, they have had the wit to see that they could obtain more by passive resistance to authority than from active rebellion.

The Habeas Corpus Act suspended.

It is possible, indeed, that the abortive attempt at an uprising which characterised 1848 would not have occurred if ministers had not resolved on a fresh measure of repression. Towards the close of the session, however, alarmed at the language held on the platform and in the press, they asked for power to suspend the Habeas Corpus Act in Ireland till the 1st of the following March.[1] The House, at the instance of the ministers, suspended its standing orders, and passed the bill through all its stages on a single Saturday afternoon. On the following Monday the Lords imitated the despatch of the Commons, and on Tuesday, the 25th of July, the royal assent was communicated.[2]

Few measures have had a more immediate effect than the suspension of the Habeas Corpus Act in Ireland in 1848. Smith O'Brien and his confederates, knowing that it was aimed against themselves, left Dublin and scattered through the provinces. Collecting a few followers around him, O'Brien wandered from place to place with the object of avoiding imprisonment. Such conduct brought him into collision with authority. He ventured on attacking a small police

[1] Russell's speech explaining the reasons for this measure is in *Hansard*, vol. c. p. 696. It was after a resolution, carried on O'Brien's motion at a Dublin meeting, that 'the purpose and end of our organisation are the overthrow of the power of the British Legislature in this island.' *Ibid.*, p. 702.

[2] *Ibid.*, pp. 743, 756, 779.

CHAP. XX. 1848.

force at Ballingarry which defended itself in the house of Cormack, a widow. The attack was repelled, O'Brien was left alone, and a few days later was quietly arrested at the railway station at Thurles. Technically, an attack upon the police was an act of high treason, and O'Brien was tried for high treason before a special commission. He was found guilty, and the dreadful sentence which the law awarded to traitors was pronounced upon him. But the ministry was not likely to commit the grave error of shedding his blood. It did not require the unanimous recommendation of the jury by which he was tried to gain for him mercy. The execution of the law would have only converted into a tragedy a rebellion which had fortunately terminated in a farce; and O'Brien, his life spared, was transported. His transportation terminated the last Irish rebellion.[1]

Smith O'Brien's rebellion.

In fact, a social revolution was proceeding in Ireland which made rebellion less probable. Up to the middle of 1845, when the potato-rot first appeared, every year had added to the teeming millions on Irish soil. The three years which followed the first outbreak of famine diminished the population of Ireland by 650,000 souls. The three succeeding years further decreased the

[1] His trial will be found in *Ann. Reg.*, 1848, Chron. pp. 389–443. Smith O'Brien's case was carried by writ of error to the Queen's Bench in England and subsequently to the House of Lords. *Ann. Reg.*, 1849, Chron. pp. 359, 372. After the decision of the Lords the Government took steps to remove him from the House of Commons and to commute his sentence to transportation. Both decisions incidentally raised constitutional points of some importance: (1) Russell was advised that a man guilty of high treason was civilly dead, and so, instead of moving his expulsion, as he had originally intended to do (*Hansard*, vol. cv. p. 581), he asked the House to affirm the fact, and to order the issue of a new writ for Limerick; (2) Smith O'Brien objected to the competence of the Crown to commute a sentence for high treason, and the Government set the doubt at rest by introducing a declaratory Act to enable the Crown to do so. This bill passed by large majorities, but after a good deal of discussion. *Ibid.*, vol. cvi. p. 830. In the course of these debates Smith O'Brien petitioned to be heard by counsel on the measure, A debate arose whether the House could receive a petition from a traitor. It ultimately decided to receive the petition, apparently on the common sense ground that it was desirable to make the right of petitioning as wide as possible. *Ibid.*, p. 395.

numbers of the Irish by 1,100,000 people. Each succeeding year still further reduced the roll of the nation; and England, which pointed with just pride to the increase of its own people, noticed with equal satisfaction the progressive decrease of the Irish race. CHAP. XX. 1848.

Rebellion, indeed, in Ireland would not have occurred even in 1848, if troubles in England had not encouraged insurrection. In England, as in Ireland, men of extreme political opinions imagined that the convulsions in Continental Europe might lead to revolution at home. The prostration of trade, the inevitable result of the commercial crisis of the preceding autumn, had thrown multitudes out of employment; the poor were suffering privations which they had not experienced since 1842,[1] and poverty, producing discontent, was preparing the way for disturbances. The Chartists in 1848.

Some members of the working classes had never abandoned the designs which they had formed years before for acquiring a greater share of power for their own order. The five points of the Charter had been developed into six, but the success of the six points was still the object at which earnest workmen were aiming. The petition of 1837 had failed, the petition of 1839 had failed, but the old remedy was still in favour. The working classes were to petition the House of Commons in their millions, and with the voice of millions were to demand justice.

Among the many men who exercised influence among the Chartists was an Irishman, Feargus O'Connor. He had many of the showy qualities which are calculated to captivate mobs. Tall, broad, of high lineage, and with a rude eloquence, he impressed an uneducated Feargus O'Connor.

[1] A single extract will perhaps illustrate this as well as a score of authorities. In Leeds 'workmen were thrown out of employment in vast numbers, and the destitution was appalling; 15,000 persons were receiving relief at one time from the public soup kitchen; their average earnings did not reach 10*d.* a head; the rates were very heavy.' See *Life of Hook*, p. 412.

CHAP. XX. 1848.

audience. His paper, the *Northern Star*, became the chief organ of the Chartist movement; his voice became the loudest at Chartist meetings; his counsel, after the arrest of Frost and Jones, was the boldest in the Chartist camp, and the electors of Nottingham, fascinated by his position, chose him as their representative. His remedy was simple. A monster petition was to be escorted to Westminster by a monster procession, and Parliament, overawed by a mob, was expected to yield to the voice of the people. All these anticipations only ended in a ludicrous catastrophe. On the 5th of April the attention of the Home Office was directed to a public advertisement that the meeting would be held on Monday, the 10th of April. On the following day Grey, as Secretary of State, after consultation with the Cabinet, issued a notice declaring that a meeting held for the purpose of organising a procession to escort a petition to Parliament, accompanied by excessive numbers of the people, was illegal.[1] On the 8th Wellington, as Commander-in-Chief, was invited to join in the deliberations of the Cabinet, and the safety of the metropolis was entrusted to his hands.[2] The dispositions which the Duke had made at Torres Vedras were not more judicious than those which he thereupon prepared. A few regular troops held the approaches to Westminster, while a larger body were kept concealed in reserve. The ordinary work of the police was performed by a body of special constables, who came forward in countless numbers to defend their property against a rabble.[3] O'Connor, frightened by these preparations, refused to proceed. Instead of forming a procession he parleyed with the police, and

The collapse of the movement.

[1] *Hansard*, vol. xcvii. p. 1353, and vol. xcviii. p. 6.

[2] There is a very interesting reference to the Cabinet in *Life of Lord Campbell*, vol. ii. p. 236.

[3] One hundred and seventy thousand special constables were sworn in, *Ann. Reg.*, 1848, Chron. p. 52, and cf. *Hansard*, vol. xcvii. p. 459.

the famous petition, which was to have been carried by an impulsive crowd of 500,000 persons, was ignominiously consigned to a hack cab and taken to the House of Commons. The unfortunate document had a harder fate before it. It was mercilessly picked to pieces by a special committee. It was found that instead of containing 5,706,000 names, as O'Connor had boasted, only 1,975,406 signatures were attached it. It was discovered that the names of prominent personages, such as those of the Queen, of Wellington, and of Peel, had been unscrupulously affixed to it, and that wholly fictitious names,[1] such as 'No Cheese,' 'Pug Nose,' and 'Flat Nose,' had been added in numbers. This discovery turned the whole thing into ridicule. The little leaven leavened the whole lump; the House of Commons found a welcome excuse for disregarding the voices of 1,900,000 people by pointing to the tricks of a few hundreds of unscrupulous persons, and the cause of Reform was for years arrested by the abuse of the machinery devised by the Reformers.

The Panic of 1848.

In the meanwhile Parliament had found leisure to devote itself to other labours than the suppression of rebellion in Ireland and of Chartism in Great Britain. For some years previously a panic dread of France had seized the British people. It is easy to give a philosophic explanation of the causes in which the panic originated. The Whigs under Melbourne preached peace in their speeches and threatened war in their despatches. The military and naval estimates were framed on principles consistent with the policy which they advocated in Parliament, but inconsistent with the tone which Palmerston habitually adopted. The end of the reign of William IV. saw retrenchment carried to an extreme which had never previously been contemplated. The commencement of the reign of Victoria

[1] *Hansard*, vol. xcviii p. 284.

CHAP. XX. 1848.

saw war in Eastern Europe, war in Afghanistan, war in China; while war with France and war with the United States seemed imminent. It appeared probable that Britain would be arrayed against a world in arms with troops insufficient for the relief of the peace establishments in the colonies. The inevitable result ensued. Parsimony was checked by panic, and undue economy was succeeded by extravagant preparations. The panic which thus occurred was temporarily allayed by the accession of Peel and Aberdeen to power. Under Melbourne the Foreign Office had been the most warlike department of the Government. Under Peel, Aberdeen was the most pacific member of the Cabinet. The country, reassured by a reasonable expenditure on the army and navy, recovered from its panic, and confidence was restored by the evident desire for peace.[1] The confidence, however, which Peel and Aberdeen had established by their conduct was interrupted by their fall. An unfortunate difference between France and England created ill-feeling on both sides of the English Channel. One of the sons of Louis Philippe had a few years previously advised his fellow-countrymen to build a steam fleet. The British Foreign Minister, a year before his return to office, had declared authoritatively that steam had bridged the Channel.[2] At the commencement of 1848 Wellington stamped panic with the seal of authority by addressing a letter to Sir John Burgoyne on the state of the national defences.[3]

While the country was still agitated with the alarm which Wellington's letter had excited, while newspapers

[1] The military and naval expenditure of the nation amounted to 16,707,601*l.* in 1826. It was gradually reduced to 13,914,677*l.* in 1830. The Whigs further reduced it to 12,066,057*l.* in 1834. They increased it to 14,722,628*l.* in 1840. Peel left it at 16,864,697*l.* in 1846. Porter's *Progress of the Nation*, pp. 505, 506.

[2] Cf. Cobden's *Political Writings*, vol. ii. p. 222, and *Hansard*, vol. lxxxii. p. 1223.

[3] For the letter see *Ann. Reg.*, 1848, Chron. p. 5, and cf. *ibid.*, Hist. p. 34. The letter was never intended for publication. Greville's *Memoirs*, part ii. vol. iii. p. 107.

and broadsheets were publishing articles and arguments to prove the facility with which England might be invaded, Parliament resumed the labours of the session which had been temporarily interrupted by the Christmas recess. One thing was obviously needful. A country strewed with the wrecks of a great commercial disaster required leisure for the repair of the ruin which had been made. But the ministry, with Wellington's warning still ringing in its ears, had no eyes for the ruins of the past. It hastily decided on a policy which would have been fatal to the country if it had been adopted by Parliament.

The first Budget of 1848.

Before 1842 the Budget had uniformly been proposed by the Chancellor of the Exchequer. In this year, however, Peel, intent on commercial reforms of unexampled magnitude, had taken the duty into his own hands and had personally brought forward the Budget. In 1845 the same course was adopted, and the Budget was again explained by the First Minister. In 1848 Russell decided on following the example of Peel, and on introducing his own Budget. In the previous year the revenue was estimated at 52,065,000*l.*, the expenditure at 51,576,077*l.*[1] But famine in Ireland and commercial disasters at home had disappointed these anticipations, and in February it was no longer possible to expect that the receipts of the year would exceed 51,362,000*l.*, while supplemental estimates and the charge of the famine debt had raised the probable expenditure to 52,315,079*l.*[2] The ministry did not venture on anticipating that the revenue of the succeeding financial year would exceed 51,250,000*l.* A little war which had occurred at the Cape threw an additional charge of 1,100,000*l.* on the country; and some 245,000*l.*, not provided for in the estimates, had

[1] *Ante*, p. 310.

[2] These figures will be found in *Hansard*, vol. xcvi. pp. 905, 906.

CHAP. XX. 1848.

been spent on the navy. If these sums were paid out of the revenue of 1848–9, and no reductions were made, the expenditure would be raised from 52,315,000*l.*, to 53,660,000*l.*, or to 2,410,000*l.* more than the probable revenue; and, instead of attempting retrenchments, the ministry, sharing in the panic, decided on increasing its establishments. It determined on an increased expenditure on the army, navy, and ordnance of 452,000*l.*, and on embodying the militia at a cost of 150,000*l.* These and other minor charges raised the expenditure of the year to 54,596,000*l.*, and left the nation face to face with a new deficit of 3,346,000*l.*[1]

Fear, failure, famine, and feeble finance had brought the country to this deplorable condition. To provide for the deficit which it had incurred, the ministry boldly proposed to raise the income-tax from 7*d.* to 1*s.* in the pound. The increase, it was calculated, would provide an additional revenue of 3,500,000*l.* a year, and thus convert the deficit into a small surplus. With this surplus, ministers even ventured on proposing a small measure of free trade. Up to 1842, copper had been allowed to be taken out of bond and smelted, provided that a proportionate quantity of fine copper was returned into bond. In 1842 Peel had repealed this clumsy arrangement, and allowed the importation of copper ore on the payment of a small duty. The smelters of South Wales declared that in consequence of this change copper was smelted abroad, and their own trade injured. Moved by their representations, Russell decided on repealing the import duty on copper ore. Perhaps no financier had ever promised a smaller boon in return for

[1] The figures were:—

Debt	£28,530,600	Navy	7,726,610
Consolidated Fund	2,750,000	Ordnance	2,924,835
Caffir War	1,100,000	Miscellaneous	4,006,000
Naval Excesses in 1847-48	245,500	Militia	150,000
Army	7,162,996		£54,596,541

—*Hansard*, vol. xcvi. p. 919.

so great a burden. He was imposing an additional tax of 5*d.* in the pound on incomes, and he had not even cheap food to offer. He was asking the people to accept a little cheaper copper.

The Budget was received with a shout of disapproval from both sides of the House. Member after member rose to express his surprise, his consternation, or his regret; and the Chancellor of the Exchequer was compelled to minimise some of the proposals which the First Minister had made.[1] Hume, consistent in his own views, asked the House to postpone supply till it had decided on the propositions of the ministry; and the Government, alarmed at the attitude of its supporters, consented to refer the estimates of the year to Select Committees.[2] No such course had been taken for twenty years. No such course would have been adopted in 1848 if the ministry had not already ceased to guide the House which it still nominally led.

The Budget was proposed on the 18th of February; the estimates were referred to Select Committees on the following Monday. On Thursday the 24th a rumour of riots in Paris agitated the benches of the House of Commons. On the 25th it was officially known that Guizot had resigned; on the 26th the fall of the dynasty of July was announced in London. The whole cause and justification of the estimates was over; the king, whose approach as a conqueror had been dreaded, was on his way to England as a refugee. Palmerston, relieved from the

The effects of the Revolution of 1848.

[1] *Hansard*, vol. xcvi., p. 968, and Beaconsfield's *Speeches*, vol. ii. p. 427.

[2] The original proposal was that the miscellaneous estimates should be referred to a Select Committee, the military and naval estimates to Select and Secret Committees, *Hansard*, vol. xcvi. p. 991. Hume at once objected to the Committees being secret, *ibid.*, p. 997. Bentinck declared that a Secret Committee to inquire into the navy was unconstitutional. *Ibid.*, p. 1002. Wood subsequently abandoned the secrecy, explaining that 'he had laboured under some misapprehension' about the course pursued in 1828. The Committee of that year had, at its own discretion, conducted its sittings in private, but was not a Secret Committee, *ibid.*, 1063. See also Peel's remarks, *ibid.*, 1072.

CHAP. XX. 1848.

irritating influence of Guizot's presence at the French Foreign Office, made up his mind that peace was certain.[1] Lamartine, who for a few months swayed the destinies of France, displayed an anxiety to maintain the British alliance. The first French Revolution precipitated war; the third French Revolution prevented war between France and England.

Amidst the roar of revolution abroad, economists returned to the attack upon the Budget. Hume sounded the key-note of the controversy by declaring that 'the universal opinion throughout the country was that the Government had proposed an unwarrantable increase in the expenditure.'[2] And the ministry, moved by the language in Parliament and out of doors, resolved on withdrawing its whole scheme. On the 28th of February, Wood, under the pretext of making a fuller statement than his leader had found it practicable to deliver ten days before, introduced a new Budget. If the House of Commons would renew the income-tax at the old rate of 7*d.*, he offered to abandon the proposal for the extra 5*d.* The balance at the Bank was fortunately high, and the charge of the Caffir War and the increased cost of the navy could be paid out of this balance. 'It is one of the advantages of maintaining high balances in ordinary times that by this means we may be enabled to bridge over a time of temporary pressure.'[3] The ministry, in short, proposed to abandon its proposal for fresh taxation, and to encounter a new deficit.

The Budget withdrawn.

The second Budget of 1848.

Since the days of Vansittart, no ministry had ventured on so radical an alteration of the Budget. The Whig Government of 1848 could hardly have survived its retreat if the divisions of its opponents had not left it without an organised Opposition. Peel sat apart

[1] Palmerston's opinion of Lamartine will be found in Ashley's *Palmerston*, vol. ii. pp. 73, 77 81

[2] *Hansard*, vol. xcvi. p. 1335.

[3] *Ibid.*, p. 1414.

from the Conservatives who had deserted him; and the protectionists were without a leader. Throughout 1847, indeed, the foremost place on the opposition benches had been conceded to Bentinck. But, towards the close of the year, the attitude of Bentinck on a particular question had estranged him from the Tory party. For many years a desire had existed among Liberal politicians to remove the disabilities which excluded the Jew from Parliament. The reformed House of Commons, in 1833 and 1834, passed bills introduced by Charles Grant for the purpose. But the Lords steadily refused to consent to what was erroneously called the emancipation of the Jew.[1] For many years the division of opinion between the two Houses created no practical interest. No county or borough in the United Kingdom selected a Jew as its representative. The debates, which Grant and others raised, consequently only seemed of abstract importance, and little inconvenience resulted from the contrary views of Lords and Commons.

Disabilities of the Jews.

In 1847, however, the question suddenly assumed a new aspect. The City of London, at the general election in that year, chose as one of its representatives Baron Rothschild, a well-known and wealthy Jew. The voice of the City of London acquired double significance because the City simultaneously placed Russell, the Prime Minister of England, at the head of the poll. It would under any circumstances have been Russell's duty to have dealt with the questions which were raised by Rothschild's election. The need for doing so was doubly urgent when his own constituents were partially disfranchised by Rothschild's exclusion from the House of Commons. In the short autumn session of 1847, Russell accordingly moved that the House should resolve itself

[1] For Grant's original motion, *Hansard*, vol. xvii. p. 205. For the decision of the Lords in 1833, *ibid.*, vol. xx. p. 249. For the decision of the Lords in 1834, *ibid.*, vol. xxiv. p. 731.

CHAP. XX. 1848.

into a committee for the purpose of considering the propriety of removing the disabilities of the Jews;[1] and, in the course of the debate on this motion, Bentinck had the courage to express his determination to support the Whig leader.[2]

The protectionists, who had practically adopted Bentinck as their leader, were almost unanimously in favour of excluding the Jew from Parliament. They were disappointed to find that the man, who had fought so vigorously against free trade, was not prepared to contend against the Jew. Intolerant of freedom, they had the arrogance to convey 'their keen sense of disapprobation'[3] to Bentinck. Perhaps the annals of English politics do not present a more surprising consequence than that which ensued from this remonstrance. Bentinck, stung to the quick by the ingratitude of his friends, withdrew from the prominent seat which he had occupied on the front opposition bench For more than a session the protectionists remained without a leader,[4] and the cloak of Bentinck ultimately fell on the shoulders of the gifted but unscrupulous politician whose name has already been mentioned in this history, and who not only, like Bentinck, had separated himself from the Conservatives to support Russell's proposal, but whose name, whose face, whose voice, and whose pen, constantly reminded his supporters that he was himself a Jew.

Disraeli becomes leader of the Protectionists.

In the interval, however, which elapsed between the retirement of Bentinck and the succession of Disraeli to the lead of the Tory party, the protectionists remained

[1] *Hansard*, vol. xcv. p. 1234.

[2] For Bentinck's speech, *ibid.*, p. 1381. The motion was carried by 253 votes to 186, *ibid.*, p. 1397, but the bill founded on the motion was ultimately thrown out by the Lords.

[3] *Lord George Bentinck's Life*, p. 513.

[4] It would perhaps be more accurate to say that they were under a triumvirate: Disraeli, Lord Granby, and Herries. Malmesbury's *Memoirs*, p. 176, but cf. Greville (*Memoirs*, part ii. vol. iii. p. 123) who says Granby was elected leader.

without a leader; and ministers, saved from the attacks of an organised Opposition, were enabled to survive humiliations which under other circumstances would have overwhelmed them. Wood was consequently allowed to reconstruct the Budget which Russell had brought forward. The financial troubles of the Government were not, however, terminated by the reconstruction of the Budget. The alterations which the Whigs had made in the sugar duties in 1846 had been followed by severe distress in the West India colonies. The protectionists asserted that this distress was entirely attributable to free trade; the free traders, on the contrary, declared that it was the almost inevitable accompaniment of the embarrassments which were visible in every part of the world. On the first night after the Christmas recess, Bentinck asked for a Select Committee to inquire into the distress of the sugar-growing colonies. The Committee was granted; it pursued its labours under Bentinck's guidance with industry; and ultimately, at the end of May, after the rejection of several alternatives, it agreed, by its chairman's casting vote, to recommend, during the next six years, the imposition of a differential duty of 10*s.* in favour of sugar the produce of British possessions.[1]

Bentinck and the sugar duties.

The policy which Bentinck and the Committee were thus propounding was defended by protectionists who hated free trade, and by free traders who hated slavery; and a combination of Liberals and Conservatives compelled the Government to deal with the matter. On the 16th of June Russell offered to reduce the duty on colonial sugar by 1*s.* a year for three years, and to continue the reduction of the duty on foreign sugar for three years longer than was originally proposed, till it was equalised with the duty on colonial sugar in 1854.

[1] For the debate on Bentinck's motion, *Hansard*, vol. xcvi. pp. 7, 84, cf. *Life of Lord G. Bentinck*, p. 529 *et seq.*

CHAP. XX. 1848.

The new scheme, therefore, maintained the differential duty for three years longer than the original plan of 1846. It formed to this extent a concession to the protectionists.[1]

A proposal of this character was not likely to satisfy everyone, but it was almost certain to pass. Men like Hume, unable to understand a minister who was 'unblushingly' modifying a policy on which he had deliberately taken his stand,[2] were powerless to defeat a change which was supported by Whigs and Protectionists. Men like Bentinck, who desired much greater concessions to the West Indies, were unable to overcome the united forces of Whigs and free traders. The slight concession to the colonies, founded on no principle, secured for the Government adequate support. The protectionists, indeed, induced Sir J. Pakington to propose a resolution censuring the policy, but the ministry,[3] after a long debate, succeeded in defeating the motion by a small majority.[4]

The third Budget of 1848.

In the course of the discussion on the sugar duties, it occurred to some persons that a reduction of duty would increase the financial embarrassments of the nation, and the Government was accordingly pressed to declare how it intended to provide for the fresh deficit it was incurring. In consequence of this criticism, the ministry was drawn into a fresh dilemma. It had commenced the session by suggesting that the establishments should be increased and that the income-tax should be raised; it had subsequently besought the House to continue the tax at its previous rate of 7*d.*; in June it discovered that the increased expenditure which had necessitated fresh taxation was unnecessary. No less than 235,000*l.* was saved on the

[1] *Hansard*, vol. xcix. p. 738.
[2] *Ibid.*, p. 753.
[3] *Ibid.*, p. 825, and cf. Disraeli's *Bentinck*, p. 544.
[4] The ministry was supported by 260 votes to 245. *Hansard*, vol. xcix. p. 1396.

miscellaneous estimates, the expenditure on the navy and on the ordnance was reduced by 300,000*l.*, and the proposal for embodying the militia at a cost of 150,000*l.* was quietly abandoned. These changes, however, did not reduce the expenditure within the limits of the income, and the Chancellor of the Exchequer, in the last fortnight of the session, was consequently compelled to propose what was humorously called a fourth Budget. The total expenditure of the year was finally placed at 54,161,256*l.* The revenue was raised by some minor changes to 52,130,000*l.*, and the deficiency of 2,000,000*l.* was conveniently covered by a new loan of that amount.[1]

The fourth Budget of 1848.

The result proved more satisfactory than Wood had anticipated. The revenue, instead of amounting to 52,130,000*l.*, produced 53,017,000*l.*; and the expenditure, placed in the Budget at 54,161,000*l.*, only amounted to 53,287,000*l.*[2] The year therefore ended, from a financier's point of view, with brighter results than had been anticipated. The increase in the revenue, indeed, reflected the general condition of the country. Notwithstanding the severe crisis of the preceding year, trade was gradually recovering its former elas ticity. The income-tax in 1848–9 was levied on a higher assessment than had ever yet been reached;[3] the value of British exports was greater than in any previous year.[4] There was more shipping in British ports, more work in British factories, more spirits, unhappily, drunk in British taverns than had ever previously been known.[5]

[1] *Hansard*, vol. xcix. p. 1452, and cf. vol. ci. pp. 544–546.

[2] *Ibid.*, vol. cvi. p. 740. But Wood's statement is very complicated. Cf. *Statistical Abstracts.*

[3] 259,214,593*l.*: this amount was not again reached till 1851–2.

[4] 63,596,025*l.* against 52,849,445*l.* in 1848.

[5] 3,400,809 tons of shipping were registered in British ports at the close of 1848, an increase of nearly 100,000 tons over the previous year. The consumption of spirits in 1849 rose to 1·02 gallons per head of the population. The highest previous consumption had been 1·01 gallons in 1846. The increase was the more

CHAP. XX. 1848.

Returning prosperity of the people.

The return to prosperity which was thus evident was partly accelerated by a fall in prices. The people were better off, not because their incomes were larger, but because the commodities which they required were cheaper. Almost every article of daily use cost 10 to 25 per cent. less than at the time of the passage of the Reform Act. The average price of wheat throughout the year was lower than, with the exception of 1835, it had been in any previous year in the century. The retail price of meat in the best shops was 1*d.* to 1½*d.* a lb. less than it had been eighteen years before. Cotton, linen, groceries, tea and sugar, were all from 10 to 25 per cent. cheaper than at the time of the Reform Act.[1] The cost of living, therefore, was sensibly lower than it had been in previous years.

The proceedings of the Protectionists.

Many persons, however, thought that the classes who were dependent on land for their livelihood did not share the general improvement. The farmers, it was contended, suffered from the decreased cost of agricultural produce, the landlords from the consequent inability of their tenants to pay their rents, the labourers from a reduction of wages by the competition of Irish immigrants. The agricultural classes, it was argued, had therefore some claim on the consideration of the Legislature. In the Lords, Stanley, adhering to his old principles, avowed himself, at the commencement of the session of 1849, the uncompromising advocate of the old, just, and equitable principle, which gave necessary protection, not monopoly, to the labourers and producers of this country, and to our fellow-countrymen, wherever they were to be found throughout the world.'[2] In the Commons, Disraeli, too astute to connect himself with a cause that was lost,

remarkable from the fact that the Irish, who had been almost decimated by the effects of the famine, are a spirit-consuming people.

[1] Cf. Henley's statistics in *Hansard*, vol. cvii. p. 412, with Wood's in *ibid.*, vol. cvi. p. 1203.

[2] *Ibid.*, vol. cii. p. 54.

but too prudent to sever himself from the country gentlemen, endeavoured to secure compensation rather than protection for the land. The landlords were thenceforward persuaded by him to look to the reduction of local burdens as compensation for the losses which he taught them to believe that free trade had inflicted on them.[1]

Disraeli's cautious conduct could not, however, entirely remove the effect of Stanley's incautious utterance. On the very first night of the session, the most powerful protectionist had gone out of his way to profess his adherence to the principles of protection; thenceforward, every free trader was taught to identify the cause of free trade with the fortunes of the ministry;[2] and the followers of Peel, who were still wavering between old friendships and new principles, ranged themselves with increasing steadiness on the side of the Whigs. In consequence of this circumstance, the ministry assumed a bolder front than it had presented in the previous year. In 1848 it had apparently been expiring from inanition, in 1849 it gave fresh proof of its vitality.

The state of Ireland.

There was one subject which admitted of no delay, with which it was necessary for the ministry to deal. Ireland was still the theme and the difficulty of the hour. A foreign gentleman whose labours in the cause of charity made his name familiar in 1848, and whose genial manners secured him afterwards a welcome

[1] For his motion on land taxation, *Hansard*, vol. ciii. p. 424. The motion was rejected by 280 votes to 189, *ibid.*, p. 861. Lord George Bentinck's death in the preceding September had removed Disraeli's warmest friend and most formidable rival from his path to the leadership of the Tories.

[2] Graham, in April, quoted Stanley's words, and put the case quite plainly. 'Here therefore issue is joined. I say that protection or no protection is the point at issue, and I regard it as the battle-field on which the struggle must take place between reaction and progress.' *Hansard*, vol. civ. p. 675. The words, coming from Graham, were of exceptional significance because he had just refused to join the ministry on Auckland's death. *Life of Campbell*, vol. ii. p. 249, and cf. Greville's *Memoirs*, second part, vol. iii. p. 259 *et seq.*

CHAP. XX. 1849.

in society, declared that in his perambulations round the world he had seen humanity in most of the latitudes and longitudes, and that nowhere else had he found men subject to misery of such an aggravated character as in Western Ireland.[1]

It has been the constant curse of Ireland that measures prompted for her relief have sharpened her sufferings. The ministry had hoped that the poor law of 1847, by giving the peasant a claim to relief, would have discouraged evictions; and the result proved that it supplied the owner with an excuse for clearing his property. In England similar legislation had led to the demolition of cottages; in Ireland it was followed by wholesale evictions. In the three years ending March 1849, 160,000 persons were evicted. In one year, in a single union, 15,000 persons were ejected from their holdings.[2] It was a poor consolation to these miserable wretches that their ill-treatment elicited an expression of the 'deepest abhorrence' in the House of Commons,[3] and that its consequences were felt in every part of the British dominions.

Some of these unfortunates crowded into the Irish workhouses—the deaths in these buildings, week for week, equalled the mortality of the whole of London with its 2,000,000 inhabitants—others of them lay down and died on the roadside; others again dragged

[1] Count Strelecki, quoted in *Hansard*, vol. cv. p. 502.

[2] A landlord of Galway turned out his tenantry on a stormy winter's night. The parents implored shelter for their children, and were refused. Many of them died. Peel said of this landlord's conduct, 'I doubt whether in any country calling itself civilised a case of more grievous hardship ever occurred.' *Hansard*, vol. xcvii. p. 1009. Yet it may be doubted whether such injustice was not terribly common. In September 1847, 6,000 notices of ejectment were served in a single union, *ibid.*, pp. 345, 856, 860, and cf. for other evictions, *ibid.*, vol. civ. p. 883, vol. cv. pp. 1286, 1288, and vol. cix. p. 469. It ought to be added that the Act of 1847, by declaring that no person should receive relief who was in occupation of more than a quarter of an acre of land, facilitated evictions, since the wretched cottiers had to choose between starvation and the surrender of their holdings.

[3] The expression is Peel's in *ibid.*, vol. cv. p. 1288.

their weary bodies to the coast, and begged or collected the few pence necessary for their conveyance to England.[1] Some of them, who had still a little money, came to England on their way to the western hemisphere; others of them, destitute of means for emigration, came in the vain hope of finding work. Afraid to apply for relief lest they should be sent back to starve in their own homes under a law of settlement, they took refuge in the gaols, and brought down wages to the lowest point at which men could live. Wherever they went they carried with them the seeds of disease. The emigrants died in mid ocean;[2] died on reaching Canada. The Irish who swarmed in England died like flies; clergymen, doctors, and relieving officers were struck down by the fever which the Irish brought. In England and Wales more people died in 1849 than had ever died in any previous year; 56,000 more people died than had died, on an average, in each of the preceding five years; 34,000 more people died than died, on an average, in each of the succeeding five years, though these five years added a million souls to the population.

Its consequences to England.

Even this mortality, frightful as it was, had its good side. It was nature's method of remedying a huge blunder, and of apportioning the population to the soil. She was vindicating the disregard of her laws by wholesale massacre.[3] In the earlier ages of the world, and

[1] From the 1st of December 1846 to the 29th of April 1847, 150,000 Irish landed in Liverpool alone. *Hansard*, vol. xcii. pp. 58, 526. The numbers from January to November 1847 were 278,005. Sir C. Trevelyan's *Irish Crisis*, p. 100. In 1849 it was said that 396,231 had landed in a single year, *ibid.*, vol. cvii. p. 322.

[2] The mortality among the emigrants in 1847 amounted to 17 per cent Nearly one person in every six persons who left Ireland for Canada died on the journey. *Hansard*, vol. xcvi. p. 1026. For an account of the emigration see Sir C. Trevelyan's *Irish Crisis*, pp. 99 and 105.

[3] The population of Ireland decreased from 8,295,061 in 1845 to 8,287,848 in 1846, to 8,025,274 in 1847 to 7,639,800 in 1848, and to 7,256,314 in 1849. The population has gone on decreasing, though with constantly diminishing rapidity, ever

CHAP. XX. 1849.

in rude and Oriental countries at the present time, she would have been left to solve the problem in her own way. It was impossible, however, in the nineteenth century for any Government, in a civilised country, to leave a whole people to die. The ministry was compelled to interfere, and to save the people from famine. And to do it justice the Legislature, notwithstanding the discouragement which resulted from previous failure, set itself seriously to work to deal with the crisis. At the outset of the session the ministry asked for and obtained a vote of 50,000*l.* to aid bankrupt unions in the task of feeding the people. The vote was granted,[1] but the sum was only intended as a temporary makeshift. The ministry almost simultaneously invited both branches of the Legislature to appoint select committees to inquire into the operation of the Irish Poor Law.[2] References of this kind are usually made excuses for delay, but no charge of procrastination could fairly be brought against the ministry of 1849. Russell at once laid before the Commons committee the details of the scheme on which he relied in the emergency, and, obtaining the adhesion of the committee to one portion of it, introduced a bill to give effect to it.

The National Rate in Aid.

The main principles on which Russell determined to act were as follows:—He proposed that (1) the rate leviable in the electoral divisions of each union should be limited to 5*s.*; (2) when this rate proved inadequate, it should be supplemented by a rate levied over the whole union, limiting, however, the whole sum leviable in any parish of the union for union purposes to 7*s.*; (3) any remaining deficiencies should be supplied by a rate in

since. At the census of 1881 there were 5,294,436 persons in Ireland. In 1846 there were 129,807 emigrants, in 1847 258,270, in 1848 248,089, in 1849 299,498. The Statistical Abstracts give all these figures in the most convenient form for reference.

[1] *Hansard*, vol. cii. p. 374, 629, 12 & 13 Vict. c. 5.

[2] *Ibid.*, pp. 275 and 465.

aid charged on the whole of Ireland, amounting to 6*d.* in the pound. This proposal was one which it was difficult to defend on principle. The theory on which the poor law was based, that each locality should support its own poor, broke down if the locality were relieved from the burden whenever the load happened to be heavy. Many men of experience considered that, instead of making the union help the locality, it would be better to narrow the areas within which the rate was collected, to make each property chargeable with its own poor, and force the landlord who ejected his tenantry to stand between them and the grave. A maximum rate, moreover, would be at the best an imperfect remedy. It made no provision for the support of the poor when all the resources procurable under it were exhausted. The rate in aid, if it were limited to 6*d.*, could only under the most favourable conditions yield about 300,000*l.* a year. But there was no justice in such a rate. It was equivalent to a proposal that Ulster should be taxed to support the destitute unions of Connaught and Munster. Such a proposition was either too narrow or too wide. Something could be said for forcing every locality to sustain its own poor; something could be urged for asking the whole kingdom to help a locality crushed by an unprecedented disaster. But nothing—so it was argued—could be pleaded for taxing Ulster, and not England, for the relief of destitution in Galway. Either Ireland was an integral part of the United Kingdom, or it was not. If it were not, let the whole consequences ensue, and let Ireland receive the Home Rule for which she longed; but, if it were, let the whole kingdom share a common burden, and minister out of its abundance to the necessities of Ireland.

These arguments produced a great effect. The Commons Committee, though it adopted the principle of a

CHAP. XX. 1849.

rate in aid in a preliminary report, declined to agree to the maximum without receiving evidence. The Lords Committee, by a large majority, refused to adopt the rate in aid.[1] Twistleton, the head of the Poor Law Commission in Ireland, resigned his office from a disapproval of the measure.[2] On the other hand, the ministry received help from a quarter to which they had more than once been indebted. In a great speech, in which he unfolded his whole ideas of Irish policy, Peel gave the support of his authority to the measure of the Government. There were two reasons, so he argued, why there was no injustice in imposing a special 6*d.* rate on all Ireland. In the first place Ireland was exempt from the income-tax; in the next place she had never repaid the sums which had been advanced to her years before for building workhouses.[3] Ireland, therefore, which had thrown on the rest of the kingdom the burden of a debt incurred in her interests, and which had been relieved from direct taxation to which other portions of the kingdom were subject, might, without injustice, be compelled to contribute a rate in aid to support her own poor. If indeed, the Irish preferred to make a serious effort to repay their debts, Peel added, amidst the laughter of the House, that he would be disposed to consider the propriety of exempting them from the rate in aid. If she made no such effort he declared his determination to support the proposal of the ministry.[4]

The Rate in Aid Bill passed.

Strengthened by the authority and the arguments of a great statesman, the ministry succeeded in carrying the measure by large majorities in the Commons;[5] and

[1] See Lord Monteagle's analysis of the majority, *Hansard*, vol. cv. p. 303. Every independent peer, not an office-holder, voted against it.

[2] *Ibid.*, vol. civ. p. 476.

[3] 1,200,000*l.* had been advanced, out of which only 36,000*l.* had been repaid.

[4] *Hansard*, vol. ciii. p. 183; cf. Peel's speech on this occasion with his speech on the second reading of the bill, *ibid.*, vol. civ. p. 87.

[5] The Opposition met the proposal by an amendment to throw the rate on all property and income in Ireland

the Lords, conscious of their inability to defeat it, and unwilling to risk the consequences of its rejection, had the good sense to stay away from their House and to allow it to pass.[1] The prospect of its passage had in the meanwhile enabled the ministry to introduce a fresh measure of temporary relief. The 50,000*l.* voted at the commencement of the session was already exhausted. In the middle of April it obtained authority to advance a further 100,000*l.* towards the relief of distressed unions on the security of the rate in aid.[2]

So far the ministry had succeeded in carrying out its plan. On the 26th of April, after the Rate in Aid Bill had left the Commons, Russell introduced his other measure for the amendment of the Irish poor law. The most important provisions of the bill, as it was presented to and passed the Commons, were those which limited the rate in the electoral division of the union to 5*s.*, the rate in the union to 7*s.* These clauses the Lords struck out by decisive majorities. Their action raised a curious issue. An amendment which struck a maximum rate out of the bill enabled an increased rate to be imposed on the ratepayer. It therefore imposed or authorised the imposition of additional taxation. No usage, however, is so clearly fixed as that which precludes the Lords from initiating any tax on the people. For more than two centuries the Lords have refrained from even amending a money bill, and have confined themselves to either accepting or rejecting the measure as a whole. Strictly speaking, therefore, the action of the Lords in amending the bill was an infraction of the privileges of the Commons, and was authori-

Difference between Lords and Commons.

above the value of 150*l.* This was defeated by 237 votes to 164, *ibid.*, vol. ciii. p. 314. A similar motion made afterwards for an income-tax (*ibid.*, vol. civ. p. 474) was also defeated by 194 votes to 146. *Ibid.*, p. 593.

[1] The second reading in the Lords was only carried by 48 votes to 46. *Ibid.*, vol. cv. p. 322.

[2] *Ibid.*, vol. civ. p. 467, 12 & 13 Vict. c. 25, sec. 4. The Act was to run for two years.

CHAP. XX. 1849.

tatively declared to be so by the Speaker himself. On many questions, however, which indirectly dealt with local rates, the Commons had waived their privileges. They had done so in the case of the Poor Law of 1834; in the case of the Irish Poor Law of 1838; in the case of the amended Irish Poor Law Act of 1847; and of the Irish Municipal Act of 1838; and Russell, quoting these precedents, proposed that the Commons should follow them, and not insist upon their privileges. His advice was adopted, and the ministry proceeded to recommend agreement with the Lords. The course which he thus took undoubtedly facilitated the passage of the measure, but its passage in a shape which wholly differed from that which it had originally worn. The maximum rate both in union and district disappeared, and was never afterwards revived.[1]

The Commons give way.

In all probability the Commons more readily assented to waive their privileges on this occasion because few among them liked the principle which the Lords had rejected. They had surrendered their convictions to their party, and were not sorry for the opportunity which their leader afforded them of getting rid of a distasteful provision. In truth it was no easy matter to prove to an ordinary country gentleman that, if it were impossible to fix a maximum for the poor rate in Wiltshire, it was indispensable to fix a maximum for it in Limerick. Yet something could be urged in favour of the Government plan. In many cases the landlords were irretrievably ruined. The only chance of relieving the district in which their property was situate lay in

[1] For the original scheme, *Hansard*, vol. civ. p. 860; for the division in the Lords throwing out the maximum, *ibid*, vol. cvii. p. 393; for the debate on privilege, *ibid*., p. 1040. The Act is the 12 & 13 Vict. c. 104. The Act, as it passed, provided for the rearrangement of unions, for emigration, for charging annuities &c. secured on land with a portion of the poor rates, and for the exemption for seven years of improved land with an increased assessment in consequence of such improvements.

helping them to sell it to solvent capitalists. But no man in his senses would have bought an estate in Ireland which was liable to an indefinite poor rate for the support of a teeming population without food. The ministry, therefore, desired to face the risks which a maximum poor rate involved, for the sake of creating confidence where there was no trust, and the Lords' amendments, however defensible they may have been, retarded probably to some extent the flow of capital into Ireland.

From the beginning to the end of the session the proceedings in the House of Commons had been little more than a series of debates on Irish subjects.[1] Yet the longest sentence may have a parenthesis, and, in the intervals between these discussions, the ministry found leisure to deal with one subject of vast importance. The nation had steadily resolved to secure free trade. Yet free trade is an empty term unless the vessels in which the trade is carried are also free; and for centuries the carrying trade had been regulated on principles of the strictest monopoly. From the time of the Plantagenets certain commodities could only be imported in English vessels manned by English seamen; from the time of the Tudors the coasting trade was reserved for Englishmen alone; and, from the time of the Commonwealth, all foreign ships without a licence were precluded from trading with the British plantations in America, and no commodities were allowed to be imported into England or Ireland from Asia, Africa, or America, except in English vessels of which the

The Navigation Acts.

[1] In addition to the measures stated in the text, the Chancellor of the Exchequer introduced a measure in May, advancing 300,000*l.* for purposes of land improvement, and 200,000*l.* for drainage, *Hansard*, vol. civ. p. 1260, and, towards the end of the session, he made a further grant of 500,000*l.* for the purposes of the Galway and Athlone Railway, and of 150,000*l.* for poor relief. *Ibid.*, vol. cvii. pp. 50, 76. At the commencement of the session the ministry obtained the continuance of the Habeas Corpus Suspension Act for a further period. *Ibid.*, vol. cii. p. 306.

CHAP. XX. 1849.

master and the greater number of the crew were English, or from Europe except in English vessels, or in vessels the property of the country or place from which the goods were brought. It was the habit of the Parliament of the Restoration to confirm the bad and to reject the good in the policy of the Commonwealth. By Acts of 1660 and Acts of 1662, the Restoration Parliament practically reimposed Cromwell's Navigation laws.

These laws, when they were originally framed, were dictated by a jealousy of the Dutch. The Dutch have proved, on the whole, the most formidable rivals the English have ever encountered at sea; and in the seventeenth century they occasionally rode masters of the Channel, and they threatened to absorb the whole carrying trade of the world Any legislation seemed desirable which tended to deprive them of the advantages which they had thus secured. Nor can it be denied that high authorities may be quoted in support of the legislation which was adopted. Adam Smith is the profoundest thinker on economical subjects that Britain has yet produced, and in a famous passage, after pointing out the many disadvantages which the Navigation Laws inflicted on trade, he declared that 'as defence is of much more importance than opulence, the Act of Navigation is perhaps the wisest of all the commercial regulations of England.'[1] Mill in the nineteenth century endorsed Adam Smith's conclusions. 'When the Navigation Laws were enacted,' he wrote,[2] 'the Dutch, from their maritime skill and their low rate of profit at home, were able to carry for other nations, England included, at cheaper rates than those nations could carry for themselves; which placed all other nations at a great comparative disadvantage in obtain-

[1] *Wealth of Nations*, fifth edition, vol. ii. p. 195.

[2] *Political Economy*, People's Edition, p. 555.

ing experienced seamen for their ships of war. The Navigation Laws, by which this deficiency was remedied, and at the same time a blow struck against the maritime power of a nation with which England was then frequently engaged in hostilities, were probably, though economically disadvantageous, politically expedient.'

It requires some courage to dissent from a conclusion which is supported by the authority of Adam Smith and Mill. Yet it may be doubted whether the Navigation Acts were ever attended with the effects which Adam Smith and Mill attributed to them. The causes which led to the development of British trade and the supremacy of the British at sea were probably quite other than the existence of a Navigation Act. 'Navigation and naval power,' wrote McCulloch,[1] 'are the children, not the parents; the effect, not the cause, of commerce.' It is universally admitted that freights were raised and commerce restricted by the monopoly which was conferred on British vessels. The rule which compelled British owners to employ a majority of British seamen in every ship made it difficult for them, in time of peace, and impossible in time of war, to man their vessels. A serious disadvantage was thus thrown on British shipowners.

Nor was there wanting another reason against the perpetuation of the monopoly. A Navigation Act was possible when the chief rival in the carrying trade had comparatively few commodities of her own to export. But a Navigation Act became simply ruinous when other nations engaged in trade threatened to retaliate. It was perfectly easy for America to say that, if England would not admit American goods in American bottoms, America would not admit English goods in English bottoms. The absurdity of a system which forced vessels trading between England and

[1] *McCulloch, ad verb.* Navigation Laws.

CHAP. XX. 1849.

America to make every alternate voyage in ballast was visible to an unreformed Parliament, and Wallace and Huskisson, by a series of measures which have been described in a former chapter,[1] replaced a Navigation Act founded on prohibition by a Navigation Act founded on reciprocity. The amended system which these great commercial statesmen originated practically remained unquestioned for more than forty years. The Budget of 1842, however, paved the way for a different policy; and in 1844 Mr. Gladstone, speaking with the experience of a Vice President of the Board of Trade, and with the knowledge which he derived from his connection with a great port, declared that the shipping interest was 'exceedingly depressed,'[2] and assented to the appointment of a Select Committee to inquire into the Navigation Act. The Committee was appointed, but it made no report; and three years elapsed before a fresh Committee renewed the inquiry. Its report led to the introduction of a measure late in 1847 and to its re-introduction in 1848. The session of 1848 was not, however, favourable to the passage of any great measure, and the bill made little progress and was abandoned. It formed in 1849 the main feature in the ministerial programme, and the chief battle-ground of party.

One reason, indeed, existed for legislation in 1849 which protectionists found it difficult to dispose of. On the subject of the Navigation Laws, the most important colony was urgent in a demand for free trade. The Canadians declared that the repeal of the Corn Laws had given the United States a decisive advantage in the competition for the corn trade. Canada could grow wheat as cheaply as the neighbouring republic, she could carry the produce of her fields down the

[1] Vol. ii. p. 82.

[2] *Hansard*, vol. lxxv. p. 275, vol. lxxxix. p. 1007, vol. xcviii. p. 992.

St. Lawrence to the coast at least as cheaply as the American farmer. But on the coast she found herself cramped by the restrictions which the Navigation Act imposed on her. None but British vessels could trade to her ports, and the British shipowner, enjoying a monopoly, raised the freights. If the necessities of England required a free trade in corn, common justice demanded that Canada should receive free trade in ships. So keenly did she feel on the subject that the Governor-General warned the Colonial Office of the consequences which would result from the defeat of the Navigation Bill, and the Colonial Secretary, speaking with the full responsibility of office, declared that its loss would destroy the best security for the attachment of the North American Colonies to the British Crown.[1]

To grave arguments of this description the protectionists replied that the difficulty arose, not from the existence of a Navigation Act, but from the institution of free trade in corn, and that a return to protection would once again afford the Canadians an advantage which would enable them to compete successfully with their neighbours. The true remedy, therefore, was not to advance towards the demon free trade, but to return to the paradise of protection.[2] The protectionists could not have raised a more hopeless issue. Many of the wisest members of the Conservative party saw that the policy of dear food, to which their leaders were again reverting, placed them at a disadvantage with the electors. Wellington, as usual, had the good sense to refrain from opposing a reform which was approved by Court and populace; and the Navigation Bill passed through all its stages and became law.

[1] See Lord Grey's argument, *Hansard*, vol. cv. p. 71.

[2] Disraeli, in replying to a speech of Graham's, in which he declared the Navigation Bill to be the battle-field on which the struggle must take place between reaction and progress (*ibid.*, vol. civ. p. 675), said 'Progress where? Progress to paradise or progress to the devil?' *Ibid.*, p. 698.

CHAP. XX. 1849.

Yet the victory which was thus achieved was won by the slenderest of majorities. On the second reading in the Lords 105 peers voted for the measure, while 119 gave their votes against it. The passage of the bill was only secured by the circumstance that the ministry had more proxies than its opponents to rely on, and that the Whigs were in this way enabled to turn a minority of 14 into a majority of 10. It used to be a remark of Russell's, that the majority was secured by the votes of the bishops; and it is undoubtedly true that out of 25 bishops who either recorded their votes or paired on the occasion, 16 had the good sense to support the bill. It is only fair to a body of men who have withstood most of the great reforms which have been accomplished in the present century, to record the fact that, as a class, they were in favour of one great measure of reform. But it is obvious that the measure was not carried by the bishops, but that the bishops only swelled the numbers of the majority. The utmost that they did was to raise a majority of two into a majority of ten.[1]

A victory secured so hardly naturally encouraged the protectionists. Proxies could not be used in committee, and the Conservatives therefore concluded that they would obtain an advantage at this stage. Stanley, with this object, moved an amendment in favour of reciprocity. But the ministers again succeeded in defeating their opponents. Wellington, true to his principle of maintaining the Queen's Government, again gave them his assistance; the bishops supported their policy. Clarendon came from Dublin, Normanby from Paris, for the express purpose of voting for the measure, and Stanley, to the disappointment of his followers, sustained a more

[1] The numbers were 173 votes to 163. In addition to the sixteen bishops included in the 173, Lord Auckland, who voted as a peer, but who was Bishop of Sodor and Man, also voted for the bill. *Hansard*, vol. cv. pp. 117, 118. Excluding his vote, the lay peers were only in a majority of one.

decisive defeat than he had received on the second reading.[1]

This great measure, the consequence and complement of free trade, was the chief outcome of the session of 1849. Except for its discussion, the time of Parliament was almost entirely occupied with Irish subjects. When Disraeli, in his best novel, wished to emphasise the distinction between rich and poor, he chose, as an alternative title of his book, 'The Two Nations.' There had been unhappily two nations for centuries in Ireland. In the presence of a common distress, a decreasing attention had been paid to their differences. The summer of 1849 again afforded fresh illustration of the chronic quarrel between Protestant and Catholic.

The state of Ireland.

An Act passed by Stanley in 1832 forbidding party processions in Ireland had been suffered to expire in 1845, the ministry vainly hoping that the time for exceptional legislation of this character had passed. In 1849, however, the Orangemen of Down decided on paying an armed visit to their Grand Master, Lord Roden, on the 12th of July. Their road to Tollymore Park, where Roden lived, ran through a defile in the Maughan Hills, known as Dolly's Brae. The pass, around which a large number of Roman Catholics resided, had been the traditional battle-field of Ribandmen and Orangemen. An armed procession of Orangemen, on the anniversary of the battle of the Boyne, to one of the most intemperate of Orange peers, was a challenge which Irish Roman Catholics were not likely to refuse. The Ribandmen thronged the heights of the defile through which the Orangemen had to pass, and nothing but the presence of a large force of military and police, and the exertions of the priests, enabled the Orangemen to thread their way without a conflict.

The battle of Dolly's Brae.

[1] 116 votes to 103. *Hansard*, vol. cv. p. 756; cf. *Campbell's Life*, vol. ii. pp. 252, 253.

CHAP. XX. 1849.

The narrow escape from disaster in the morning ought to have induced responsible persons to persuade them to return by a different route in the evening. A nearer and better road, running round instead of over the hill, would have enabled them to avoid the defile. But Irishmen are not fond of shunning strife. Elated with singing party songs, with waving party banners, with listening to Roden's eloquence, and with drinking Roden's whisky, the Orangemen reached Dolly's Brae on their homeward march in the evening. A squib fired by someone was the signal for an action. The Ribandmen fired on the police who escorted the procession, the police charged the Ribandmen. The Orangemen, seeing an action in progress, joined in the fray. Four of the Ribandmen were shot dead, forty others were wounded. Excited by their victory, the Orangemen sacked and burnt the homes of their opponents, and wantonly murdered at least one inoffensive person.

This deplorable incident excited a profound sensation. Irish members of Parliament indignantly denounced the massacre of Irish men and women. Clarendon, the Viceroy, directed a lawyer of experience to inquire into the causes of the affray, and, on his report, instituted proceedings against several of the Orangemen who were concerned in it. The magistrates however, refused to take the information; Roden himself—though indirectly implicated—had the indiscretion to preside on the occasion, and Clarendon, concluding that a magistrate was not justified in sitting on what the public regarded as his own case, directed the removal of his name, and of the names of two other justices, from the Commission of the Peace.[1]

Fresh evidence was thus given in July of the eternal differences which distract the Irish; a happier occasion

[1] See for these proceedings, Lord Clarendon's speech, vol. cviii. p. 923, and Lord Stanley's account, *ibid.*, p. 886. Cf. *Ann. Reg.* 1849, Chron. p. 73, and *Hansard*, vol. cvii. pp. 603, 1004, 1129.

in August afforded an opportunity of showing how all parties among the Irish could share a common enthusiasm. Eight-and-twenty years had passed since George IV. had paid his short and memorable visit to Dublin. Since then no British Sovereign had set foot on Irish soil. But the Queen had long desired to see this part of her dominions. A visit of State ceremony, however, would have imposed cost on the public purse, and have occasioned private expenditure which the Irish could not afford. The Queen, therefore, decided on dispensing with ceremony, and on making a yachting tour on the coasts of Ireland. Nothing could have been wiser. It may require the panoply of state to set off an old and unpopular Sovereign. It required no pageant to commend a young queen, accompanied by her young husband, and her little children. No sorrow had at that time clouded the Queen's brow. There was nothing but sunshine in her face and happiness in her smile. And, from the moment when on a summer evening she steamed into Cork, and the blaze of rockets and bonfires bid her welcome, to the hour when, on a tempestuous sea, she quitted Belfast, she evoked nothing but enthusiasm. Her short visit promised to do more to restore peace to Ireland than all the legislation of her ministry.

The Queen's visit to Ireland.

Encouraged by the results of the Queen's visit, the ministry, in 1850, determined on bringing forward three great measures,[1] designed to relieve distress, to inspire confidence by displaying trust, and to destroy the demand for repeal by making the Union real. With the first object, it decided to reduce the burdens on Irish property. From 1839, when money had been lent for the erection of workhouses, advances had been made in rapid succession to distressed Irish unions. But in many cases, the local authorities, weighted with

Fresh Irish measures.

The Relief Bill.

[1] *Hansard*, cviii. p. 823.

CHAP. XX. 1850.

debts of their own, were unable to repay these loans as they became due. The ministry consented, by the issue of an additional 300,000*l.* to the most embarrassed unions, to raise the whole debt due from Ireland to 4,783,000*l.*, and to extend the period of its repayment to forty years.[1] This proposal was naturally disliked by English Liberals, who detected in it an excuse for making one more advance to Ireland out of Imperial funds. But it was adopted by large majorities in a Parliament which had no better policy to offer. The second measure was less successful. It will be recollected that in the closing years of the Melbourne Administration, Morpeth had made a serious effort to extend the Irish county franchise.[2] The history of the bills which he introduced for the purpose was characteristic of a ministry remarkable for the clearness of its intellect and the weakness of its backbone. It proved capable, as usual, of devising a just and politic measure; it proved incapable as ever of carrying it through Parliament. But Russell did not abandon, as Prime Minister, the policy which the Cabinet had devised under Melbourne, and in 1848, as well as in 1849, a bill was introduced extending the franchise in counties to all 5*l.* freeholders, and in boroughs to all persons paying rates on an 8*l.* rateable value. The measure which had thus been twice before Parliament was again introduced at the commencement of the session of 1850.[3] Like all measures of this character the bill was assailed by two kinds of critics. The Irishmen declared that an 8*l.* rating in Ireland was equivalent to a 30*l.* rating in England, and condemned the bill for not doing more. The Conservatives, on the contrary, were alarmed at an extension

The Irish franchise.

[1] In addition to the measures mentioned in the text, the Government introduced and carried a measure to prohibit party processions. *Hansard*, vol. cix. p. 126.

[2] See *ante*, vol. iii. p. 516 *et seq.*

[3] For the bill of 1848, *Hansard*, vol. xcviii. p. 585; for that of 1849, *ibid.*, vol. cii. p. 669; for that of 1850, *ibid.*, vol. cviii. p. 699.

of the franchise, and condemned the bill for doing too much. The Government, however, was able to use each of these critics to enable it to defeat the other. A proposal to raise the franchise to 15*l.* was defeated by 213 votes to 144; a proposal to reduce the franchise from 8*l.* to 5*l.* in boroughs was defeated by 142 votes to 90, and the bill was ultimately sent to the Lords substantially in the shape in which it had been introduced in the Commons.

It was the misfortune of the Whig ministers of 1835 and 1846 that they could not control the Peers by the votes of their supporters, and that they would not control them by the vigour of their conduct. The Lords, bold from experience, at once displayed a determination to recast the bill. The 8*l.* qualification was struck out, and a 15*l.* qualification substituted for it, while, by a still more important amendment, ratepayers desiring to be placed on the register were compelled to make their own claims for the purpose. These amendments were avowedly introduced into the measure with the object of restricting its operation. It was impossible for any ministry with any sense of dignity to assent to them. Russell, however, offered—if the latter of them were abandoned—to compromise the former by substituting a 12*l.* for a 15*l.* qualification. An 8*l.* qualification, he explained, would give the franchise to 264,000; a 15*l.* qualification to only 144,000; a 12*l.* qualification to 172,000 persons. St. Germans, who, before his accession to the peerage, had been Chief Secretary for Ireland in Peel's administration, had already urged this compromise on the peers; it was accepted after some discussion by a small majority, and the measure became law.

The Irish Vice-royalty.

But the Government, though it thus succeeded in passing one of its measures unaltered, and another of them in an amended form, failed to carry the third.

CHAP. XX. 1850.

When Scotland was united with England in the eighteenth century, the Secretary of State became responsible for the administration of both countries, and the internal affairs of each of them were thenceforward regulated on the same principles by the same machinery. When, however, nearly a hundred years afterwards, a union was accomplished between Great Britain and Ireland, a different system was adopted. The whole organisation of an independent government was preserved in Dublin. A Viceroy, surrounded by a privy council, with a Chief Secretary at his elbow, reminded the Irish by his presence of a period when an Irish executive was at the head of an Irish legislature, and of a system whose loss was everywhere in Ireland regarded with regret, and whose restoration was expected with anxiety.

Something, indeed, could be urged for the anomalous system which was thus established. At the beginning of the nineteenth century, communication between England and Ireland was dependent on the winds and waves; and, under such circumstances, it may have seemed indispensable to place a high and responsible official in Dublin. But almost every decade of the nineteenth century brought Dublin into closer communication with London. In the second decade Telford made the admirable road through North Wales which still remains the chief monument of his genius. In the third decade he threw the bridge across the Menai Straits which has stamped him as a poet among engineers. Before the fourth decade was over, Stephenson, superseding the work of his predecessor, had joined London and Birmingham, Chester and Crewe with an iron chain, while, in the closing months of the fifth decade, another Stephenson, rivalling his father's achievement, had carried the Tubular Bridge across the Menai Straits, and united Holyhead with London by a con-

tinuous railway. In 1811, when Telford commenced improving the roads of Wales, the fastest traveller could not hope to pass from London to Holyhead in less than forty hours; wind and tide decided the duration of the journey from Holyhead to Dublin. In 1850, anyone whose means enabled him to purchase a railway ticket could rely on reaching Holyhead within nine hours after leaving London. An additional six or seven hours would land him by the steam packet in Dublin. The Irish capital, therefore, for all practical purposes, was less than one-fourth the distance from London that it had been forty years before.

In the interval, moreover, the conduct of the Government had tended to lessen the authority of the Viceroy. There had been a constant tendency to increase the functions of the Chief Secretary, and to diminish the administrative duties of the Lord-Lieutenant. It was almost impossible to avoid this result. In selecting a Viceroy, custom, and perhaps necessity, compelled the Crown to choose among men of high rank and great wealth, and consequently to select an officer from a very narrow body of candidates. But, in choosing a Chief Secretary, the minister was able to command the services of his most competent supporters. An office which was held in one half-century by such men as Wellington, Peel, Stanley, Hardinge, and Morpeth, could not fail to acquire importance. In the Whig ministry of Grey, Stanley, as Chief Secretary, was promoted to the Cabinet; in Melbourne's second administration the same distinction was conferred on Morpeth.[1] The Chief Secretary, in these cases, actually communicated the decisions of the Cabinet to the man who was nominally his master, and the position of

[1] The same distinction was subsequently conferred on Lincoln and Labouchere, and since 1851 has been more frequently bestowed on Irish Secretaries.

CHAP. XX 1850.

Viceroy became more and more like that of a constitutional sovereign, a pageant and a name.

Many reflecting people therefore doubted whether it were wise to retain an office which was a symbol of separation, and which was only ornamental and not useful. The Queen's visit to Ireland naturally strengthened this feeling. It was felt that an occasional visit of the Sovereign to Dublin would do much more to inspire loyalty than the perpetual presence of a Viceroy in the Phœnix Park; and Russell accordingly decided on introducing a measure for the abolition of the office, and the appointment of a fourth Secretary of State for Ireland, on whom the whole internal administration of the country should fall.

Everything about this suggestion, except the termination of the Lord-Lieutenancy itself, was unfortunate. Those who were most anxious for the abolition of the office desired that every mark of separation should be obliterated, and that Ireland and England should thenceforward be governed by the same men on the same principles. But the creation of a fourth Secretaryship of State tended to reproduce these distinctions in another form. Moreover, though accidental and personal considerations should have no influence in determining the course of legislation, the presence of Clarendon at Dublin, with Somerville as Chief Secretary, undoubtedly weakened the force of the minister's position. It could not be said of the Viceroy that he was a mere pageant, or of the Chief Secretary that he was other than subordinate. Of all the noblemen who had held the Viceroyalty during the preceding half-century, Clarendon had displayed the most statesman-like vigour. Politicians of all parties were ready to admit that, both in the crisis of famine and in the crisis of revolution, Clarendon had done well. But of all the politicians who had held the office of Chief Secretary,

few had occupied an inferior position to Somerville. With industry, capacity, and good sense, he made an excellent Chief Secretary. He had no pretensions to higher rank in the Administration.

These circumstances strengthened the arguments of those who, from their position, were disposed to resist the ministry, and who from conviction were opposed to change. Conservatism concluded a temporary alliance with Irishmen who feared that the abolition of the office would be prejudicial to Dublin tradesmen. In consequence, though the bill was steadily supported, and though its second reading was carried by a large majority, the ministry did not venture to persevere with it, and it was accordingly abandoned.[1]

The weakness of the Government.

Such a result was mortifying to the Cabinet, but it was the inevitable consequence of its inherent weakness. During the session of 1849, indeed, the Government had succeeded in recovering some of the credit which it had lost in 1848. During the session of 1850 it was exposed to constant embarrassment. The protectionists, throughout the session, assumed a position and a tone on which they would not have ventured in the previous year. The farmers, who were their special friends, were suffering from a general depression of prices. In the autumn of 1849, imitating the example which the Anti-Corn Law League had set them, they attended meeting after meeting, in which they raised and reiterated their demand for relief. At the commencement of 1850, their friends in both Houses of the Legislature moved identic amendments to the address, attributing agricultural distress to recent legislation, and declaring that the effects of free trade had been aggravated by the pressure of local burdens.[2] They were beaten in both Houses,[3] but

Agricultural distress.

[1] For the division on the second reading, 295 votes to 70, *Hansard*, vol. cxi. p. 1464; for the abandonment of the bill, *ibid.*, vol. cxii. p. 899.

[2] *Hansard*, vol. cviii. pp. 20, 125.

[3] The division in the Lords was 152 votes to 103 (*Hansard*, vol. cviii. p. 79), that in the Commons 311 votes to 192 (*ibid.*, p. 253).

CHAP. XX. 1850.

Disraeli, seventeen days afterwards, brought forward a specific motion for such a revision of the poor laws as might mitigate the distress, and was only with difficulty defeated by 273 votes to 252.[1] Years had passed since the agriculturists had so nearly secured an important victory. They were encouraged by their numbers in the lobby, and anticipated the downfall of free trade.

The Budget.

It was evident under these circumstances that pressure would be brought on the ministry to relieve the agricultural interest. It was known that the Chancellor of the Exchequer would have a surplus at his disposal; and, as a matter of fact, Wood, in introducing the Budget on the 15th of March, placed the expenditure of the ensuing year at only 50,763,582*l.*, the revenue at 52,285,000*l.*, and the surplus at rather more than 1,500,000*l.* Half of the surplus Wood decided on applying to the reduction of debt, the other half to the remission of taxation. The taxes which he decided on touching were the excise duty on bricks and the stamp duty on conveyances. The former, which had been originally imposed in 1784, had the natural effect of increasing the price and interfering with the maker. Its existence was thought to discourage, among other things, the erection of labourers' cottages and agricultural buildings. The duty, therefore, it was contended, pressed severely on land, and its repeal, which would involve a loss of 500,000*l.* a year, would directly benefit the agricultural interest.[2] The same object Wood declared would be secured by a revision of the stamp duties. Agriculture, he argued, required capital; additional capital could only be raised by

[1] *Hansard*, vol. cviii. p. 1272.

[2] The duty on bricks (common) amounted to 5*s.* 10*d.* and 10*s.* a thousand, according to the size; on polished bricks, to 12*s.* 10*d.* and 24*s.* 2*d.* Hume had brought forward previously a motion for allowing a drawback on bricks used in building cottages, *ibid.*, vol. cix. p. 67.

borrowing; and the small farmers were prevented from borrowing, except upon exorbitant terms, by the existence of the Stamp Act The stamp duties fell much more heavily on the poor man than on the rich one. The stamps on the transfer of a piece of land worth 50*l.* amounted to 12½ per cent. of its value; on land worth 100*l.* to 5 per cent.; on land worth 300*l.* to 2½ per cent.; on land worth 500*l.* to 1*l.* 14*s.* 3*d.* per cent.; on land worth 1,000*l.* to 1*l.* per cent. Wood proposed to largely reduce the duties when the amount was less than 1,000*l.*, and when the amount exceeded that sum to apportion it as nearly as possible to the value.[1] He proposed similarly to equalise the stamps on mortgages and leases.

One part of this scheme secured general approval. Everyone admitted that advantage would arise from the repeal of the tax on bricks, and the only serious objection to its abolition arose from a few Irishmen, who complained that, as the brick tax had never been extended to Ireland, its remission would do no good to that country. The other part of the scheme created much more opposition. Country gentlemen declared that the Chancellor of the Exchequer, while relieving the poor, was in reality increasing the taxation on the rich. The ministry was so alarmed at their attitude that Wood voluntarily offered to reduce the stamp on mortgages from 20*s.* to 2*s.* 6*d.* for every fifty pounds. Notwithstanding this concession, the Opposition carried a resolution against the Government.[2] The ministry, thus defeated, wavered in a state of pitiable uncertainty. The Chancellor of the Exchequer came forward with a compromise. He withdrew the compromise; and suggested a fresh bill with a fresh arrangement. The new arrangement proved no more lasting than its predecessor, and it

[1] *Hansard*, vol. cix. p. 990.

[2] *Ibid.*, vol. cx. p. 340.

CHAP. XX. 1850.

was withdrawn in favour of a fourth plan, which became law.[1]

Repeated changes of this character proved the weakness of the ministry. A great debate on foreign policy, which will be related in a subsequent chapter, nearly led to its downfall; and throughout the first five months of the session the existence of the Government depended on the will of one man. Almost at any moment in the first half of 1850, Peel, by a single word, could have procured the defeat of Russell. But the word was not merely not spoken; there was no chance of its utterance. There was much in the policy of the ministry and in its conduct of business which Peel did not approve. But there was one thing which it was doing which secured for it his constant support. It was giving a fair trial to the great experiment of free trade; its fall would apparently lead to the restoration of protection; and Peel, identifying the Whigs with the cause, the Opposition with its defeat, gave Russell the constant support of his presence and his authority.

Peel's support of the ministry.

Great, however, as was the help which the Whigs derived from Peel, their leader never learned to place implicit confidence in his rival. He assumed that Peel was actuated by an ambition similar to his own, and he could not believe that the statesman who in under-

[1] In its ultimate shape the bill proposed a duty of one-half per cent. on conveyances and of one-eighth per cent. on mortgages. Wood estimated that these changes would involve a loss of 500,000*l*. The Budget figures were as follows:—

Revenue.		*Expenditure.*	
Customs	£20,000,000	Debt	£28,105,000
Excise	14,045,000	Consolidated Fund	2,620,000
Stamps	6,860,000	Navy	5,849,423
Taxes	4,320,000	Packet Service	764,236
Income Tax	5,410,000	Army	6,629,347
Post Office	820,000	Ordnance	2,434,417
Crown Lands	160,000	Miscellaneous	4,000,000
Miscellaneous	260,000	Unenumerated Charges	211,159
Sale of Stores	410,000	Arctic Expedition	150,000
	£52,285,000		£50,763,582

Hansard, vol. cix., pp. 976, 977.

standing and information excelled all his contemporaries was not desirous of office. Yet, of all the great men who have governed England, Peel was probably the least eager for what men call power. He valued office not for the distinction which it conferred, but for the opportunities which it offered, and he had as true a satisfaction in supporting the wise policy of another as in initiating it himself. Though, too, he was young as men now reckon age, circumstances had impressed him with the weight of his increasing years. Since 1850 the House of Commons has only at rare intervals been led by a man who did not number sixty summers, and the first place in the Government has, with still rarer exceptions, been held by anyone who has not reached the age of threescore years and ten. But in the hundred years which preceded 1850 the House of Commons had never been led by a man above sixty; with one insignificant exception the office of Prime Minister had never been filled by a statesman of seventy years of age. Recollecting the fate of Liverpool and the death of Castlereagh, Peel shrank from imposing the weight of affairs on his declining years, and sought from his Sovereign the promise that she would never again ask him to enter her service.[1]

Had Peel lived, circumstances might have proved stronger than his resolution, and he might have been forced reluctantly to resume the position from which he shrank. The plunge of a restive horse on the 28th of June, 1850, set that question at rest for ever by causing the accident which led a day or two afterwards to the statesman's death. Perhaps his country hardly realised his greatness till it was known that he was gone. Then even the anger of Protectionists was allayed by grief for his loss and respect for his memory. For, if the statesman had few private friends and many

His death

[1] Greville's *Memoirs*, part ii. vol. ii. p. 433, cf. *ibid.*, vol. iii. p. 199.

CHAP. XX. 1850.

public enemies, there was no one among friends or foes to whom the truth came not home—that the goodliest tree in the forest had fallen.

and character.

The character of Peel is a part of the history of his time. If his worth has not appeared in this work and in this volume, it will not be illustrated by a few general remarks on his defects or his virtues. Yet the passions which his career provoked were so strong, the reproaches which still cling to his memory are so loud, that, before the curtain falls on his departure from the stage, an effort must be made to describe his services.

It was the memorable reproach of Goldsmith that Burke to party gave up what was meant for mankind. Nearly the opposite was true of Peel. Instead of sacrificing his policy to his party, he was always ready to sacrifice his party to his policy. Conscious of his own superiority, he did not care about the views of inferior men, and he did not even take the trouble of explaining to them the reasons of his opinions. In office he never forgot that he was Minister of England, but he rarely recollected that he was the leader of the Conservative party. Shy, and even awkward in society, he had not the inclination, and he did not court the opportunity, to conciliate and educate his followers in unofficial hours. Impatient of contradiction and hasty in his temper, he could not win support in public by an encouraging smile or a conciliatory word; and so, though his capacity gained him confidence and his character respect, beyond the narrow circle of his own associates he won no man's affection.

His failure to attract sympathy was due to the severity of his manners and not to the coldness of his heart. His outward aspect, indeed, belied his inner and better nature: and the man who seemed unsympathetic to his followers was capable of kindlier actions than many of those who condemned his insensibility.

In the midst of a storm of unmerited obloquy such as had never fallen on any public man, he found time to befriend, as no one else befriended, the dying Haydon. He was the firm and judicious patron of science, of literature, and of art. With the men who attained distinction in these paths, he threw off the reserve which he retained for his followers; with superiority, wherever he met it, he was in fact at home; with inferiority he was shy and cold.

Great men who wish to become great party leaders must, however, learn to unbend to their followers, and Peel's inability to descend to those beneath him aroused in the first instance suspicion, and ultimately excited mutiny. And the result was more serious in Peel's case because he did not fulfil the conditions which Conservatives usually demand in a leader. They could have forgiven—nay they afterwards did forgive—haughty manners in a Stanley; they would not tolerate them in a Peel. Though by education and in wealth, Peel was superior to most of his followers, he was inferior to many of them in birth. They were identified with the older generation of country gentlemen who had governed England up to 1832; he was the representative of the new ideas, and of the new men, who were destroying the power of the old landlords more effectually than the Reform Bill. And thus it happened that, though Peel was the opponent of that measure, he personally gained more than any other statesman from its passage. For the middle classes, on whom the franchise was conferred, recognised in him both a representative and an example, while he understood their views and their wants much more clearly than any of his contemporaries. Hence he was able, almost alone, to maintain an authority in the Parliament of 1833 such as no other statesman has ever secured without numerical support; and hence, notwithstanding his connection with an unpopular party,

CHAP. XX. 1850.

he was regarded thenceforward both by friend and foe as the most capable of living statesmen.

But the very reasons which won Peel the confidence of the nation excited the natural distrust of his own supporters. Accident made him the leader of the Conservative party; conviction made him the greatest reformer of the century. On organic questions, indeed, Peel lived and died a Conservative; and as, by a strange limitation of language, the term Reform in political circles is usually confined to organic questions, posterity even now has failed to appreciate the radical nature of the policy which Peel introduced. Yet no statesman, either of this century or of any preceding age, had, up to his time, effected reforms so great and radical as those which were accomplished by Peel. Grey, indeed, closed a long and consistent career by carrying in his old age the great revolutionary measure whose principle he had advocated in his youth. But the one reform which will always be associated with the name of Grey was exceeded in importance by the six great reforms which this country owes to Peel. In 1819 Peel reformed the currency; in 1823 he reformed the Criminal Code; in 1829 he emancipated the Roman Catholics; in 1842 he reformed the Tariff; in 1843 he reformed the Banking System; in 1846 he repealed the Corn Laws. Who is that Minister whose admirers can boast that his name can be associated with six reforms so beneficent and so enduring as these?

Great, however, as are the benefits which this country derives from these six reforms, their author has never entirely recovered from the obloquy which was cast on him for accomplishing them. He was inconsistent; and society refuses to forgive inconsistency. It is, indeed, no easy matter to discover any statesman who has passed through a long career without a change of opinion. But perhaps Peel is the only statesman

who has changed his views in office without notice, and without affording his supporters the opportunity of ranging themselves under another leader. Both in 1829 and in 1845, the progress of events in Ireland forced him to reconsider his opinions and suddenly abandon his old position. Those persons who are best acquainted with British history will be the first to do justice to the sincerity of his conversion and to the purity of his motives on each of these occasions. But, at the same time, they will be the first to acknowledge the inconsistency of his conduct. Moralists may differ on the propriety of a statesman deliberately changing his views. But practical men will agree that such a change is best made when the statesman is out of office.

Peel, in fact, never would have adopted, either in 1829 or in 1845, the course which he pursued, if he had not been influenced by a consideration which constantly animated him. The Prime Minister of England is the servant of the public, but Peel never forgot that he was the servant of the Crown. Instead of simply considering what course was most desirable on public grounds, or most honourable for himself, he always reflected on the policy which was likely to prove convenient to his Sovereign. Much as George IV. disliked the emancipation of the Roman Catholics, he could hardly have succeeded in forming a ministry if Wellington and Peel had deserted him in 1829. The Queen might have been exposed to evident difficulties if Peel had refused, after Russell's failure to form a Government, to resume office in 1845. In 1829 and 1845 Wellington and Peel risked their own reputations, and sacrificed their own wishes, for the sake of saving the Crown from embarrassment; and Peel's reputation will perhaps never wholly recover from the sacrifices which he thus made.

There is, however, another question raised by his

CHAP. XX. 1850.

policy which is of more interest. How came it that Peel, in the course of his career, found it necessary to abandon almost every opinion which he had begun life by supporting? Is it not a reflection on his sagacity that none of his earlier views stood the test of later experience, but that one after another of them was flung overboard as useless lumber, for the Inglises, the Bentincks, and the Disraelis to cling to? Ought he not to have foreseen, when he embarked on politics, that the course which the Tories were steering was leading to disaster? and ought he not to have joined another crew, and committed his fortunes to another pilot? The true answer to such a contention is to be found in the circumstances of Peel's career. He entered Parliament at twenty-one years of age. He had passed his youth amidst Tories at home, at school, and at college; and, immersed in the studies which gained him distinction at the University, he had not had leisure to examine the great political questions which were to exert so vast an influence on him afterwards. He inherited his earlier opinions; he thought out, for himself, his later conclusions. It would thus be as reasonable to blame Luther for commencing his career as a Roman Catholic as to blame Peel for commencing his career as a Tory.

The six great questions which he was mainly instrumental in settling are divisible into three classes. The reform of the Criminal Code and the emancipation of the Roman Catholics were measures of domestic reform. The resumption of cash payments and the revision of the Bank Charter were measures of financial policy. The reform of the Tariff and the repeal of the Corn Laws were commercial measures.

But, though these great measures are divisible into different categories, they all partake of the same characteristic which distinguishes the whole of Peel's policy. Slow in approaching any great subject, his treatment of

it, when he once decided on dealing with it, was thorough. For the sake of carrying their measures, most ministers resort to compromise. Peel almost alone carried all his projects in the shape in which he introduced them. Other ministers sacrifice details for the sake of carrying their principles. With Peel the details of each scheme formed an indissoluble part of a harmonious whole.

This circumstance undoubtedly testifies to his capacity as a statesman. He was the greatest statesman of his own age, and he ranks among the foremost statesmen of all ages. Inferior to Walpole in tact, to Chatham in vigour, to Pitt in his ingenuity in devising taxes, to Canning in his eloquence in expounding policy—in knowledge, in judgment, and perspicacity, he was superior to all these men. And thus he stands in the front of all his contemporaries, and in the front rank among the other great men to whom the destinies of England have been committed in the past.

CHAPTER XXI.

CHAP. XXI. 1834.

The functions of history.

THE writer who undertakes to relate a nation's progress is necessarily compelled to detail the events which attract attention during the period which he is describing. But, if he has confined himself to this duty, he ought to be the first to acknowledge that his work is imperfect, and that, after all his labours, he has been merely collecting annals instead of writing history. However faithfully he may have discharged his task, however useful his work may prove to other students, he has failed to accomplish the historian's highest object. He has merely described events in their order, he has omitted to analyse the causes which produced them or the consequences which have proceeded from them.

Yet history, in the only sense in which it is worth serious study, is not a mere bundle of well-arranged annals. It is a science which illustrates the gradual progress of society, and the causes which have either assisted or retarded its growth. Some philosophic writers, indeed, contend that man is a mere automaton, whose minutest movements have been predetermined, or, at any rate, inevitably fixed from eternity; and that his independence or free-will in regulating them is only one of the many conditions which were foreseen, or which existed, in the remote past. Whether this doctrine, which the Church calls predestination, and which science calls necessitarianism, commend itself or not to the student, the historian will at least admit that the events of any age may be always referred to pre-existing causes,

and that the true function of history is not the mere description of events, but an analysis of their causes and of the progress of the human family.

Regard for these considerations induced the writer of the present history to devote some 400 pages of prefatory matter to an analysis of the causes which were at work in the eighteenth century, and which have determined the progress of England in the nineteenth century. It has led him since at regular intervals to stop his narrative in order that he might have the opportunity of describing the social condition of the people at different periods. These precautions, these digressions, may have seemed purposeless to some of his readers who themselves remember the periods with which he is dealing. Memory, however, can rarely be trusted on recent events. 'L'histoire d'avant-hier,' wrote Guizot, 'est la moins connue, on peut dire la plus oubliée du public d'aujourd'hui.'[1] The sufferings of yesterday are readily forgotten amidst the pleasures of to-day. Nothing is so difficult as to imagine that the heroic measures which statesmen have originated within our own recollection are not the mere outcome of their own opinions, but the links of a continuous chain, extending from a prehistoric past to an invisible future.

This work, however, would be still incomplete if the writer satisfied himself with tracing the causes which have made England a prosperous, contented, and autonomous nation. The progress of society is an infinitely more important matter than the progress of events. But the progress of society, in the ordinary sense of the term, important as it is, is not the chief matter for the consideration of an historian. 'The history of every civilised society,' wrote Buckle, 'is the history of its intellectual development.'[2] Without absolutely assenting

[1] Guizot's *Memoires*, vol. viii. p. 515.

[2] *History of Civilisation*, vol. i. p. 387.

CHAP. XXI. 1834.

to Buckle's dictum, every competent critic will admit that the progress of society is both of less interest and of less importance than the progress of thought.

The history of thought.

The history of human thought is the most comprehensive and most difficult subject which can occupy the attention of the student. But few writers of the history of nations have ever ventured to load their pages with any careful account of it. It is a common habit, indeed, of the writers of history, to devote a chapter to the analysis of contemporary literature, and the interest which attaches to any literary review perhaps justifies their doing so. One branch of literature, moreover, helps to illustrate their narrative. The manners of every age are studied with most advantage in the contemporary memoirs, letters, and novels. But the graver works of literary men have little or no influence on the generation in which they are written, and have no real place in its history. The thought of the foremost thinkers is rarely communicated to more than a limited circle. It is the disciples who in succeeding generations disseminate the doctrines which they have received from their master. Like the pebble which is thrown into the water, the thought in the first instance agitates a narrow circle. But the wave, which it sets in motion, in its turn creates other waves, till the remotest verges of the pond feel the influence of the original impression

The religious movement of the nineteenth century referable to pre-existing causes

Adam Smith completed his work, Bentham commenced his labours, in the eighteenth century. Neither of them made any effectual impression on politics till the first quarter of the nineteenth century was over. The great religious movement for which the nineteenth century is memorable is distinctly referable to causes in the seventeenth and eighteenth centuries. It was the reaction against the thought of the foremost thinkers of those centuries. It is incomprehensible to anyone who has no acquaintance with the previous history of thought.

It would perhaps be possible to show, if the limits of this chapter enabled the task to be undertaken, that the Reformation of the sixteenth century was followed by many of the consequences which ensued from the conversion of Constantine. While the mind of Constantine was still fluctuating between the old faith and the new gospel, he sanctioned universal tolerance by the Edict of Milan. When Christianity became the religion of the State, heresy was assailed and toleration was forgotten.[1] An attack upon heresy has always been accompanied by a propagation of error by authority. The conversion of Constantine was the signal for a renewed controversy on the Trinity. The fourth century saw the Homoousion imported into the Christian faith. The fifth century gave birth to the famous creed which owes its name to Athanasius, but which was not composed for at least a hundred years after Athanasius' death.[2] The three witnesses were imported into the text of St. John to support the decision of authority. Other doctrines, which it is unnecessary to specify in detail, were either simultaneously or subsequently introduced into the creeds adopted by Christianity, both in the Eastern and Western Church.

The effects of the Reformation comparable with the effects of Constantine's conversion.

Similar consequences resulted from the conversion of Henry VIII. While the king still hesitated between the old and the new faith, toleration was permitted. When the Reformation was once adopted, heresy was stamped out by persecution. For nearly two centuries authority declined to allow the existence of free thought, and during the whole period, while punishing heresy, it was shaping creeds and writing homilies. The Reformers, though they lopped away some of the errors which had been engrafted on the Christian faith, jealously retained the principal doctrines which had

[1] *Gibbon*, vol. iii. pp. 244, 307

[2] Or perhaps for some centuries later. See Stanley's *Eastern Church*, p. 235, and *Encyclopædia Britannica*, *ad verb.* Creeds.

CHAP. XXI. 1834.

owed their origin to the Athanasian school. They rejected the Roman tenet of transubstantiation, but they made predestination the 'absolute and essential' condition of salvation. They removed one difficulty but preserved another obstacle. For, in the words of the great author who has already been quoted, 'Many a sober Christian would rather admit that a wafer is God than that God is a cruel and capricious tyrant.'[1]

Christianity and paganism.

In consequence of the retention of some, and of the introduction of other, superstitions, the idea of God, which existed among the followers of the Reformers, differed little from the idea of God which authority had propagated before the Reformation. It has been frequently remarked that Christianity, in conquering Rome, adopted the machinery of polytheism, and that 'the victors themselves were insensibly subdued by the arts of their vanquished rivals.'[2] The Protestant would probably scornfully reject the notion that he embraced the superstitions of the ancient world, yet many a cultured Protestant derives his idea of the Deity from Milton, many an uncultured Protestant founds his notion of the Deity on the allegory of Bunyan; and the God of Bunyan and Milton bears a closer resemblance to the Jupiter of Homer than to the Jehovah of Job. It is worth while, however, at the cost of a slight digression, to show how closely the ideas of Milton, on the highest subjects, correspond with those of the great Grecian epic.

The machinery of 'Paradise Lost' is of course almost identical with that of the Iliad and Odyssey. In Milton, as in Homer, the earth is the centre of the universe.

> Terrestrial heaven, danc'd round by other heavens,
> That shine yet bear their bright officious lamps,
> Light above light, for thee alone, as seems.[3]

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[1] *Gibbon*, vol. x. p. 190.

[2] *Ibid.*, vol. v. p. 136. Cf. Draper's *Conflict of Religion and Science*, where the whole subject is admirably worked out in ch. ii.

[3] *Paradise Lost*, bk. ix. l. 103. The same idea exists in other passages; cf. (e.g.) bk. iv. l. 661.

CHAP. XXI. 1834.

In Milton, as in Homer, heaven is the home of the gods and goddesses, or the angels and the archangels; hell is the infernal region in which Pluto in one poem, Satan in the other, holds undisputed dominion.[1] Jehovah in one poem, Jupiter in the other, despatches his messengers on terrestrial missions. In Homer the gates of heaven fly open before the chariot of Juno, in Milton the gates of hell fly open before Satan. In Homer the gods and goddesses, in Milton the angels and archangels, are wounded, bleed, and suffer pain.[2] The anthropomorphic gods and goddesses of Homer laugh at Vulcan panting in their service. The anthropomorphic God of Milton is moved to laughter at the 'quaint opinions wide' of the great astronomer of the world.[3] These are a few of the well-known examples which might be given of the intimate resemblance between the machinery of the two poems.

Milton and Homer.

But the resemblance between the two poems is not merely visible in their details. In both poems man and God occupy the same position. In both of them man is in a state of decay. In both God is neither an omnipotent nor a just Deity. The gradual deterioration of the human race may be inferred from several passages in Homer. Nestor declares in the Iliad that there are no such men as were living in his youth; and Minerva authoritatively explains in the Odyssey that few children are the equals of their fathers, and the greater part are degenerate. The degeneracy of man is raised into a religious doctrine by Milton, and Adam is 'the goodliest man of men since born his sons; the fairest of her daughters Eve.'[4]

[1] Cf. 'Here we may reign secure' in *Paradise Lost*, bk. i. l. 260, with τρίτατος δ' Ἀΐδης ἐνέροισιν ἀνάσσων in *Iliad*, xv. l. 188.

[2] Venus, in the *Iliad*, bleeds as gods bleed who neither eat corn nor drink wine (*Iliad*, v. l. 341), and cf. Satan's bleeding a stream, 'sanguine, such as celestial spirits may bleed,' in *Paradise Lost*, bk. vi. l. 333.

[3] *Paradise Lost*, bk. viii. l. 78; cf. *Iliad*, bk. i. l. 593.

[4] *Paradise Lost*, bk. iv. l. 323;

CHAP. XXI. 1834.

It is, however, in his idea of God that Milton has borrowed most from Homer. The anthropomorphic God of Milton, like the anthropomorphic God of Homer, is neither an omnipotent nor a just being. Neither in the Iliad nor in 'Paradise Lost' is God the undisputed sovereign of heaven. Jehovah, like Jupiter, is engaged in a contest with rebels against his authority. He suffers the host of heaven to be engaged for two whole days in a doubtful struggle, and he does not chóose to bring the war to a conclusion till his own troops have been mown down in thousands by Satan's artillery. When the victory is at last won, the conquest is incomplete, and the rebel leaders emerge from hell to conquer a new-made world. 'The sincerest care' of all the host of heaven cannot prevent the success of their attempt. But the God who is thus not almighty, is also not just. When the victory is at last temporarily won, and the song of triumph is sounded in the noble hymn, 'Just are Thy ways, righteous are Thy decrees on all Thy works,' God immediately pronounces a curse on the earth, which, if it be righteous, is certainly not just. The sun is ordered 'so to move, so shine, as might affect the earth with cold and heat scarce tolerable'; the moon and planets are 'to join in synod unbenign'; the fixed stars are to shower 'their influence malignant'; and special precautions are taken lest the new-made earth should enjoy a perpetual spring. The God of Homer loves Troy beyond all the cities of the world, and yet sanctions its destruction to gratify the whims of a spiteful goddess. The God of Milton loves man beyond all his works. He creates him foreknowing his fall, and curses the earth in conse-

Iliad i. l. 260. and *Odyssey* i. l. 276. Hector, indeed, contemplates the possibility of Astyanax's superiority to himself, *Iliad* vi. l. 479, and Sthenelus boasts his superiority to his father, *Iliad* iv. l. 405. But these are I believe the only instances in Homer which do not point to the gradual degeneracy of the human family.

quence of it. It was such a description as this which suggested the remark appropriately cited by Mr. Froude, 'Deus aut non vult tollere mala, aut nequit. Si non vult, non est bonus; si nequit, non est omnipotens.

The rise of doubt the chief consequence of the Reformation.

Though, however, the Reformers of the Christian Church failed to remove all the tares which had grown up with the true seed of Christianity, though they founded their idea of God on the mythology of the Greeks rather than on the later Hebrew writings, mankind gained much from their efforts. They had introduced doubt into the regions of faith. Infallibility is a structure which must, from its very nature, stand or fall as a whole. The removal of a single stone loosens the building and threatens its ruin. When one man proves that one doctrine taught by infallibility is false, another is certain to question the truth of other doctrines. Stone after stone thus crumbles before the attack, till the whole citadel is demolished. To the faithful garrison within the walls the gaping breaches are still invisible. The besiegers outside see only a decaying ruin before them which is hardly worthy of their artillery.

The rise of Rationalism.

Since the Reformation, to pursue the metaphor, the Roman Church has continued its occupation of a citadel under the banner of authority. The Christians outside the walls have placed themselves under the guidance of reason. But the successes which the besiegers in the first instance achieved were not favourable for their ultimate advantage. Some of them, alarmed at the ruin which they had made, went over to the garrison; others of them, afraid of the consequences of their victory, entrenched themselves in new citadels, and ranged themselves under new banners, all professing authority. Only a small, though increasing band, remained encamped around the standard of reason under which the whole army had originally fought. Its dwindled num-

CHAP. XXI. 1834.

bers need not excite surprise. Authority, whether it emanated from the citadel or the plain, offered honour and wealth in this world, eternal happiness in the world to come, to its faithful soldiery, while reason invited its followers to embark with it on a trackless ocean, with no compass to guide their course, with no promise to cheer their labours, in pursuit of a faint ray of light which was named Truth, and which ever receded as they advanced.

It was under such circumstances that the struggle commenced between reason and authority, which has not yet reached its Marathon. But it so happened that, while Bunyan and Milton were reproducing the anthropomorphic gods of mythology in Christian apparel, events were taking place which were slowly altering the conditions of the campaign. In the beginning of the sixteenth century, while Luther was translating the Bible into German, and Henry VIII. was dallying with Anne Boleyn, Copernicus was slowly elaborating the system which has since borne his name. In the beginning of the seventeenth century the invention of the telescope enabled Galileo to read some of the hidden secrets of the heavens, and to prove the truth of the theory which Copernicus had propounded a century before. It was a remark of Whately, that 'a bishop who in Galileo's time would have supported astronomy would have saved many from infidelity.'[1] Perhaps he might also have saved the Church from the reproach that Christianity, which, it is said, is to cover the earth, is permanently excluded from the heavens.[2] Unfortunately for authority, the Church in the seventeenth century had no Whately for an adviser. It regarded the Copernican theory of the revolution of the planets in the heavens as both heretical and

Galileo.

[1] *Life of Whately*, vol. ii. p. 152.

[2] See the very striking remark of Draper in his great work on the *Intellectual Development of Europe.*

absurd, and Galileo was condemned by the Inquisition. His condemnation was, in one sense, a much more important matter than the heresy of Luther. The questions which the Reformer raised were after all matters of opinion, and it was possible for devout and wise men to doubt whether, in matters of opinion, Luther or Rome was the safer guide. But the question on which Galileo was condemned was a matter of fact, and, before fifty years were over, no man competent to express an opinion could doubt that Galileo was right and that his judges were wrong. Authority, tested by fact, had proved to be fallible. If it were fallible on such a point as this, where was its infallibility?

The telescope enlarges man's ideas of space.

The invention of the telescope and the discoveries of Galileo and his successors enlarged the ideas of space which man had originally formed. It is remarked by Bishop Newton that, in Homer, Tartarus is as far below the earth as heaven is above it, that in Virgil it is twice as far, while in Milton hell is thrice as far.[1] The lapse of 3,000 years had thus far enlarged the imagination of the greatest poets. Yet how feeble is the boldest flight of the imagination compared with the reality of truth. If Milton had lived a little later he would have learned that the light of the nearest fixed star, travelling at the rate of 180,000 miles a second, a speed at which no solid body ever yet fell, occupies years in reaching the earth. The nine days through which the rebel angels fell, dwindle into nothingness when they are contrasted with the discoveries of science.

But the new ideas of the universe which science revealed to man not only enlarged his conception of space, but concurrently proved his own insignificance.

[1] Note on *Paradise Lost*, bk. i. l. 74. In Homer, Vulcan tossed from heaven by Jupiter, fell a whole day through space before he alighted upon Lemnos, while in Milton, the rebel angels, driven out of heaven, fell nine days before hell 'received them whole and on them closed.' Cf. *Iliad*, i. l. 593, *Æneid*, bk. iii. l. 578 and *Paradise Lost*, bk. vi. l. 891.

CHAP. XXI. 1834.

The earth was no longer the centre of the universe; it was no longer possible to believe that the heavenly bodies which had excited man's awe had been created for his sole advantage. It became gradually clear that man's dwelling-place was only a little planet, not so large as other planets in the same system, that the fixed stars were the central suns of other systems, and that round them other planets were also presumably revolving. Every improvement in the telescope revealed new suns to the astonished investigator, till the mind was forced to believe that, as space had no limit, the stars were without number. Was it possible to presume that these myriads of bodies, many of them more glorious than our own sun, had been created with the sole object of making night a little less dark to the distant inhabitants of a solitary planet? Was it not fair to assume that these suns were in their turn attended by other planets, inhabited by other beings, and by beings of intelligence like our own? The tremendous speculations which resulted from this assumption are familiar to those who have studied the history of English thought, but need hardly be detailed in a history of the nineteenth century.

Kepler and Newton.

Contemporary with Galileo another great man made an even greater discovery. Galileo had established the truth of the Copernican theory; Kepler discovered the laws by which the heavenly bodies move. Newton, in his 'Principia,' carried these revelations still further. He showed that the doctrine of gravitation accounted for the laws which Kepler had laid down, and that the heavenly bodies could only move in the paths in which authority fifty years before had declared that they did not move. When the theory of gravitation was once understood, the reign of law commenced. The poor Indian was left to see his god in the clouds, and to hear him in the wind; the philosopher was taught

to infer the Deity from the order which prevailed; and not from its apparent interruptions.[1] But this grand conception of a God, the author of an eternal and immutable law by which all creation was regulated, was opposed to the idea of God which authority had promulgated. The Church of Rome had uniformly taught that God constantly intervened in the government of the universe. Even the Reformed Churches clung tenaciously to the same doctrine. The minutest events which happened on the earth were, according to authority, brought about by the direct interposition of the Deity at the time, instead of being the mere consequences of the eternal laws which God had preordained, and which had coexisted with God.

Thus it was obvious, before the seventeenth century was concluded, that the old doctrine of authority was incompatible with the new revelations of science; and the best and wisest men set themselves the task of reconciling the two. Descartes, at the very time at which Galileo was observing the heavens, had been elaborating the system of philosophy of which he was the originator. It was the essence of his system to draw a sharp distinction between man and other animals. The animals, so he taught, were mere automata; man thought, and was, therefore, something more than an animal. Thought was the essence of the soul, the opposite of matter. So far the position of Descartes, a child of the Roman Church, was not antagonistic to the dicta of authority. The blow which Descartes dealt to Rome was not connected with the conclusions which he formed, but with the right of inquiry which he both claimed and urged. The Church taught men to believe; Descartes told them to doubt. 'Can it be sin to know?' so Satan had soliloquised in paradise. Descartes gave a new answer

Descartes.

[1] Stephen's *History of Thought*, vol. i. p. 410. Huxley's *Hume*, p. 161.

CHAP. XXI. 1834.

to the question, and made knowledge a virtue, ignorance a sin.

Rationalism.

The influence of Descartes on English thought was not great.[1] In England his conclusions were not accepted by the foremost thinkers. But the fundamental basis of his system was tacitly adopted. He had enthroned reason on the seat which faith had previously occupied. All the divines of the seventeenth and eighteenth centuries, all the great English writers from Locke to Hume, appealed to the reason of their readers, and not to their faith. Rationalism became the distinguishing feature of the English Church, and Christianity was for the first time vindicated on rationalistic principles.

Rationalism in the Church was necessarily followed by other consequences than those which divines who still clung to orthodoxy had foreseen. The arguments which one set of reasoners used against Rome were employed by another set of reasoners against Christianity; and, at the end of the seventeenth and at the commencement of the eighteenth century, a succession of writers promulgated the views which are now known under the name of Deism. English Deism is easily traceable throughout the whole course of the eighteenth century, but the influence of its authors gradually declined. Devout people were shocked at the coarse unfeeling language with which some of its advocates propagated their principles. Advanced thinkers, pushing the Deist's arguments to an extreme, laid the foundations of Materialism and Agnosticism, and Deism gradually decayed. But the influence of the Deists was still perceptible. Even those who still remained within the shadow of the Church found their faith shaken by the constant iteration of the arguments of unbelief. The best divines preached morals, and not divinity. The

Deism.

[1] *History of English Thought*, vol. i. p. 32.

Church fell into a torpid condition; religion almost ceased in the land, and virtue was recommended not because it was right, but because it was expedient.[1]

Torpor was inevitably followed by reaction. Under ordinary circumstances the reaction would have occurred in the Church, and devout churchmen, by conduct and precept, would have endeavoured to check the growing spread of infidelity. But there was one circumstance, which has been hitherto insufficiently emphasised, which prevented the reaction following its natural course. The attack which had followed the discoveries of Galileo and Newton had been directed against religion, and not against the Church. While men's minds were steadily rejecting the doctrines to which their forefathers had clung, they were devising new securities, new privileges, for the Establishment. The decay of faith naturally led to the disuse of persecution. But, though persecution was no longer demanded on spiritual grounds, penal laws were passed from political motives. The Church no longer burned men's bodies to save their souls, but the State seized their property to strengthen the Establishment. In an age of torpor in religion, when the Church had no faith, no activity, it was seriously pretended that no one could be a good subject who was not a churchman.

The Church of the eighteenth century.

Secure, therefore, in its possessions, for which it cared, assailed only in its doctrines, for which it cared not, the Church of the eighteenth century regarded with complacency the advance of Deism and unbelief. The reaction against torpor and scepticism came, but it came from outside the Church. Orthodox Christianity was preaching morals and expediency, its congregations were slumbering around its pulpits, when Wesley suddenly startled mankind with what seemed a new doctrine. There could be no salvation, he asserted,

Wesley.

[1] *History of English Thought*, vol. ii. p. 343, and note.

CHAP XXI. 1834.

except through faith in Christ. The best men, the most moral men, were in a state of damnation until they had grasped this fundamental truth. When faith came—came perhaps in a moment—the believer was at once convinced of his own forgiveness and his own safety,[1] and might thenceforward live in a blessed assurance of freedom from sin and from the consequences of sin.

A doctrine of this kind was exactly suited to the requirements of the age. Men were alarmed at the consequences of a rationalistic movement; Wesley told them to rest their hopes on faith. The Deists were explaining away the supernatural; Wesley assured his congregations that everyone might receive internal evidence of the miraculous in his own sense of instantaneous conversion. The doctrine, moreover, which Wesley taught was only evolved from Articles X., XI., and XII. of the Church, and he could, therefore, claim the sanction of authority for the tenets which he was promulgating. But, though authority was in one sense on his side, the Church soon showed that it had little sympathy with his teaching. It drove him from its pulpits and forced him into the fields. Nothing could have been better for the success of the new movement. The fields in which Wesley collected his congregations held multitudes whom no buildings could have contained. Enthusiasm in crowds spreads like fire in a prairie; the people communicated one to another their own zeal, and the new religion—for a new religion it was[2]—won recruits in every village, and missionaries in almost every recruit.

Thus, as the middle of the eighteenth century wore away, the Church, secure in its alliance with the State, slumbered, while free thought on one side and Metho-

[1] All this is admirably stated by Mr. Lecky, *History of England*, vol. ii. p. 556.

[2] The growth of Methodism has been so rapid that Tyerman, in his *Life of Wesley*, vol. i. p. 11, calculates that in 1876 it could boast of more than 12,000,000 adherents.

dism on the other pushed their approaches, and made their converts by the hundred or the thousand. But towards the close of the century some of the enthusiasm which Wesley and his followers had excited was caught by the Church itself.[1] Men like Wilberforce and Simeon, shocked at the tone of those around them, endeavoured to raise others to the contemplation of higher objects than this life affords, and to infuse new thought and new life into the society in which they moved. It so happened that the great political convulsion which we call the French Revolution added cogency to their arguments. The storm which shook France to its centre, in the midst of which monarchy was destroyed and class privilege wrecked, had an equal effect on religion. Reason, and reason in its coarsest form, was enthroned on the seat which the Church had occupied, and both morality and religion were shocked at the rapid spread of licence and atheism. The various classes which were thus assailed were forced by common misfortune to join in a common defence, and the Conservatives who resisted the spread of revolution were impelled to withstand the growth of indifference and doubt. Thus, then, Wilberforce and Simeon, with their fellow-workers, found their arguments emphasised by events which had filled the upper classes with alarm. Yet the movement at which they aimed was the reform of society rather than of the Church. Except that Wesley had been driven outside the pale of the Church, and that Wilberforce remained within it, there was

The effects of the French Revolution on religion.

[1] Perhaps few people recollect how very long the reaction against torpor was in coming. Fifty years ago butcher boys carried their meat through York Cathedral, a short cut from the shop to the customer. In 1842 the church bells at Troston rang not for prayers but to warn the gleaners that it was their time to go out and come in. Mrs. Carlyle's *Letters*, vol. i. p. 156. There were only four Communions a year at Rugby when Arnold went there. Stanley's *Arnold*, vol. i. p. 146. Confirmations in many dioceses were few and far between. The candidates for this rite were brought by the thousand to the Cathedral town, and the occasion became one of disorder and indecency. *Life of Wilberforce*, vol. i. p. 343.

CHAP. XXI. 1834.

little distinction between the opinions of the two men. Wilberforce and his friends, however, succeeded in arousing in a section of the upper classes the religious sense which Wesley and his fellow preachers had stimulated in the middle and lower orders. Sunday Schools had been introduced by Raikes in 1781, the Church Missionary Society was formed in 1800, and the Religious Tract Society in 1801. Divines like Paley and Watson published works to resist the spread of infidelity. Religious laymen like Scott—afterwards Lord Stowell—introduced bills into Parliament to deal with the non-residence of the beneficed clergy. Some care was taken in the selection of the dignitaries of the Church, and Parliament attempted to check sedition and discontent by building new churches. These and many other similar circumstances indicated that the movement which Wesley had originated outside the Church had extended into the Establishment. But they also showed that the impulse which the Church was receiving was derived from men who based their theology on Calvin rather than on Rome; and the distinguishing feature of Church politics was a jealousy or hatred of the Pope and of the Roman Church.

Jealousy of Rome.

This hatred, which broke up the Whig ministry in 1807, and which helped to break up the Tory ministry in 1830, was remarkably perceptible in the interpretation which, in England, was uniformly ascribed to prophecy. Newton, in the close of the eighteenth century, had made its interpretation a familiar study; and statesmen like Perceval, and philosophers like Priestley, were equally guilty of an idle effort to solve the riddles of their own time by poring over the writings attributed to Daniel and Isaiah.[1] In the interpretation of prophecy, the Pope

[1] Perceval's *Life*, vol. i. p. 72. *History of English Thought*, vol. i. p. 431.

was uniformly the Antichrist;[1] and perhaps no article of the Church was held more rigidly than the belief entertained by almost every educated Englishman who thought on sacred subjects, that Rome was the scarlet woman of the Revelations, and that the seven heads of the beast on which she sat were the seven hills of the city. The growing attention to prophecy led to startling consequences. Priestley had expected the second coming of Christ within twenty years. Irving undertook to fix the day on which He should appear. The movement which is known as Irvingism was in this way the logical outcome of the writings of Newton and of the Evangelical school of divines. The hatred of Rome, which was even more general than the disposition to apply the predictions of the Hebrew writers to current events, led to consequences of equal importance. Rome had always asserted the authority of the Church; the Protestant, on the contrary, relied on the authority of the Bible. The Roman Catholic declared that the Bible was only useful to verify the doctrine which the Church taught; the Protestant sought his doctrine in the Bible. Eager Protestants, under these circumstances, naturally imagined that by the circulation of the Bible they might deal a deathblow to Rome. The Bible Society was accordingly formed in 1804, and active clergymen displayed their activity by holding meetings in their parishes in its support.

The Bible Society.

Yet, though Evangelical doctrines were predominant, those who were able to look beneath the surface of the current could detect eddies in the water. The institution of the Bible Society led to controversies which foreboded a storm. One party in the Church objected to the circulation of the word of God without

[1] See a curious passage in Cardinal Newman's *Apologia pro Vita Sua*, p. 52, and cf. Mr. Mozley's equally curious conclusion that Antichrist was not the Church of Rome, but pagan Rome. *Reminiscences*, vol. i. p. 176.

CHAP. XXI. 1834.

the explanatory notes of man; another party, raising the same objection in another form, objected to its circulation without the Prayer Book; a third party, taking other ground, objected to the circulation of the Apocrypha. The last of these controversies was settled in 1826 by a decision of the Society to cease printing Apocryphal Scripture; and, to their immeasurable loss, later generations grew up ignorant of the history of the Maccabees, of the adventures of Tobit, of the heroism of Judith, and of the contest so ennobling in its results in Esdras. These stories, as familiar and as dear to our ancestors as the 'Pilgrim's Progress' or as Ruth, became gradually less and less known to their descendants. The other controversies led to division. Those churchmen who were desirous of maintaining the authority of the Church displayed an increasing distrust of the Bible Society. Cardinal Newman withdrew his subscription to it; and, if fiction may be used to illustrate history, Markham Sutherland,[1] still vibrating between authority and free thought, declared that 'cramming' the Bible into the people's hands was 'the most culpable folly of which it is possible for man to be guilty.'[2]

Indications, then, there were, perceptible enough to those who looked for them, that a party was rising in the Church opposed to the Evangelical doctrines which were usually entertained by earnest churchmen; and the reaction which this new party represented was stimulated by other circumstances. Astronomy had revolutionised thought in the seventeenth century. Geology was to effect a still greater revolution in the nineteenth century. Buffon in France, Hutton in Scotland, Smith in England,

Geology.

[1] *The Nemesis of Faith*, p. 63.

[2] It may be well to contrast the opinions of Cardinal Newman and Mr. Froude with that of Dr. Chalmers who declared 'the Bible Society the most magnificent scheme that ever was instituted for bettering the moral condition of the species.' *Life of Chalmers*, vol. i. p. 263.

Werner in Germany, were exploring the bowels of the earth, and examining the processes by which it had been made. Different theories of creation were identified with the names of the Scotch and the German investigators—the one accounting for phenomena by the action of fire which the other attributed to the action of water. But, though they held different theories on the subject, it gradually became plain that no theory which geology made possible was consistent with the dogma which had been previously propounded by the Church. Creation, it was evident, had been no sudden act, but a gradual process conducted through millions of years. Life had been no recent generation, but had existed at periods too remote for man to measure. The six days of the first book of Genesis could no longer be accepted in a literal sense; could not—so some thinkers declared—be accepted in any sense whatever. Just as astronomy had enlarged the ideas of space, so geology was enlarging the ideas of time.[1]

Thus geology was assailing religion with a new weapon, and the assault was preparing the way for a new reaction. The exact form, however, which the reaction was to assume was decided by another circumstance. If the attack on religion made during the first quarter of the nineteenth century had been solely based on the geological discoveries of Hutton and Smith, the defence might possibly have been conducted from outside the citadel of the Establishment. Wesley had proved in the eighteenth century, the Scotch Secessionists were to prove in the nineteenth century, that a sect of the most recent creation may hold extreme views on the subject of authority in religion. But

[1] It ought, perhaps, to be also pointed out that the internal criticism of German scholars was at the same time introducing a new element into the controversy between reason and authority. Into this, however, it is hardly necessary to enter in detail.

CHAP. XXI. 1834.

another circumstance, of supreme importance, affected the issue, and led to the defence of religion from within instead of from without the Church. Free thought in the eighteenth century had pushed its advances without assailing the supremacy of the Church. The assault of reason upon faith, which was renewed in the nineteenth century, was accompanied by an attack, conducted under other guidance, on the temporal position of the Church of England. The exclusive privileges which the Church enjoyed were assailed with a vigour which alarmed its supporters. An unreformed Parliament was compelled to repeal the Test Acts and to remove the disabilities under which Roman Catholics had laboured; a Prime Minister frankly told the bishops to 'set their house in order;'[1] and the Radical members of a reformed Parliament attacked Church rates, Church endowments, and the monopoly which churchmen enjoyed in the benefits of the great Universities.[2]

The attack on the Establishment.

Thus, at the time at which the first Reform Act was passed, a double attack was being made upon the Church. Rationalism and science were assailing its spiritual position; rival sects were assailing its temporal position; and just as the violence of the assault which reformers had led had driven the friends of order to rally under Peel, so the vigour of the blow dealt at the Church drove the friends of religion to rally in its defence. But as, in politics, some men desired to resist the advance of revolution by conceding necessary reforms, while others imagined that revolution could best be checked by resisting all further change, so, in

[1] Lord Grey on the second reading of second Reform Bill. Arnold had written in 1832, 'The Church as it now stands no human power can save.' Stanley's *Arnold*, vol. i. p. 287.

[2] Faithfull, in the first weeks of a reformed Parliament, proposed the disendowment of the Church (*Hansard*, vol. xvii. p. 178). Divett, in 1834, proposed the abolition of Church rates, *ibid.*, vol. xxii. p. 381. Williams proposed the admission of Dissenters to Universities in the same year, *ibid.*, p. 900.

religion, one party desired to save the Church by admitting all the friends of Christianity into its fold, while another party thought that its defence could not be undertaken at all unless every member of the garrison was content to subordinate reason to faith, and to serve, without questioning, under the standard of authority.

The party of resistance.

There was, even in the reformed Parliament, a large and influential party which wished to defend the Church by resisting all reform. These men were led in one House by Phillpotts, the most polemical of bishops, and in the other by Inglis, the most consistent of Tories. If they could have carried with them the leaders of the Conservative and Whig parties, they might have altered the history of England, and possibly precipitated the fall of the Church. Fortunately, however, for the Church, both Grey and Russell, who enjoyed the confidence of the Whigs, and Peel, who was the most capable statesman in the Conservative party, adopted a different and wiser policy. Peel and Russell were both in favour of reform; both were in favour of increasing the efficiency of the Church, and of removing the just grievances of those who dissented from it. But, while Peel laid chief stress on making the Church more efficient, Russell was the more anxious to make it more comprehensive.

The party of reform.

Some of the reforms, either accomplished or attempted by Russell or Peel, have already been related in this history. It has been shown in the second volume how the friends of religious freedom won, under Russell's guidance, and with Peel's assistance, their first great victory in 1828;[1] and how, in the following year, the Tory ministry succeeded in inducing King and Parliament to free the Roman Catholic from the disabilities under which he lay.[2] It has been shown in the third volume how Russell attempted in 1834, and how Peel

[1] See *ante*, vol. ii. p. 472.

[2] *Ibid.*, p. 505.

CHAP. XXI. 1834.

proposed in 1835, to remove—and how Russell succeeded in 1836 in removing—one of the most glaring grievances of which nonconformists complained, by an amendment of the Marriage Laws.[1] These, however, were only some of the steps taken in the great period of reform to abate the monopoly of the Church, and to liberate those who dissented from its teaching. Far more significant were the many other measures which were either carried or proposed with this object in the same period.

The Ecclesiastical policy of Peel's first ministry.

In the famous manifesto which he issued in assuming office in 1834, Peel took credit for the circumstance that he had supported the Whig bill for the abolition of Church rates; that he had always been in favour of a just commutation of tithe; and that he was ready to inquire into the laws which governed the Establishment of the Church.[2] In the few memorable weeks, during which he remained in office, he showed that the manifesto was not made up of empty phrases, by instructing his Attorney-General to introduce a Tithe Bill, and by appointing a Commission to inquire into the distribution of Church revenues. The fall of his ministry deprived him of the credit of carrying out his policy, but it did not save him from the indecent abuse of churchmen. He was denounced in Whitehall Chapel as Pontius Pilate.[3] But the denunciation of the Church was powerless to stop the current of reform. Russell, in 1836, succeeded in carrying a comprehensive and successful measure for the commutation of tithe.[4] The Whig ministry renewed the Ecclesiastical Commission which Peel had originated,[5] and its reports became the basis of the most important legislation which had as yet been applied to the Church.

The inquiries of the Commission established the fact,

[1] See *ante*, vol. iii. p. 357.
[2] *Ibid.*, p. 282.
[3] *Edinburgh Review*, vol. cccxiv. p. 311.
[4] *Ante*, vol. iii. p. 352.
[5] *Hansard*, vol. xxxv. p. 14.

which had previously been surmised, that the net revenues of the Church amounted to nearly 3,500,000*l.* a year.[1] The gross annual income of the 27 individuals who constituted the Episcopate amounted to 150,000*l.*; the revenues of the Cathedral establishments absorbed a further 217,000*l.*, while the 10,700 beneficed clergy, who carried on the real work of the Church, received only 3,050,000*l.* among them. But these figures only imperfectly illustrated the unequal manner in which the wealth of the Church was distributed. It was admitted by the Commissioners that Durham was worth 17,800*l.*, Canterbury 17,000*l.*, London 12,200*l.*, Ely 11,500*l.*, and Winchester 10,700*l* a year, while critics who wrote with less kindly feelings towards the Church placed the revenues of these sees at far higher sums, and declared that the smaller estimates had only been arrived at by ignoring much of the valuable property which the bishops really possessed.[2]

The wealth of the Church and its unequal distribution.

If the revenues of the bishops had been equally distributed among the twenty-six sees into which England and Wales was divided, each bishop would have enjoyed a net income of about 6,000*l.* a year. Unequally endowed, some prelates had enormous incomes, others had small and inadequate stipends. For the purpose of increasing the revenues of the poorer bishops, they were usually allowed to hold prebendary stalls in other Chapters or livings *in comimendam*—that is, livings granted only till some suitable person was appointed to them. Thus the unequal distribution of the episcopal

The consequences of the unequal distribution.

[1] They had been estimated at this amount by Althorp in 1833. *Hansard*, vol. xvii. p. 274. After the Commissioners' Report the gross revenues were placed by Russell, in 1838, at 3,738,951*l.*, the net revenues at 3,439,767. *Ibid.*, vol. xlii. p. 721.

[2] The case against the Church is stated in an exaggerated form in the *Black Book*, where its income is placed at 9,459,000*l.*, p. 52. The figures set out in the text are given on the authority of Melbourne in *Hansard*, vol. xxxii. p. 127. Russell in the same session placed Durham at 19,480*l.* and Canterbury at 18,090*l.*, vol. xxxv. p. 16, and these figures have been apparently adopted by the Hon. A. Elliot in his excellent little book on the State and the Church.

CHAP. XXI. 1834.

revenues led to the appropriation by the poorer bishops of revenues which would otherwise have been available for the working clergy, and the usefulness of the Church was necessarily decreased by the accumulation of incompatible appointments on the same individuals.

The bishops.

How far these abuses had extended may be discovered by anyone who will take the trouble of ascertaining the benefices held by bishops in 1832. Bagot, Bishop of Oxford, was Dean of Canterbury; Bathurst, Bishop of Norwich, was Rector of Sapperton; Bethell, Bishop of Bangor, was Rector of Kirkby Wiske; Blomfield, Bishop of London, was Provincial Dean of Canterbury; Burgess, Bishop of Salisbury, was Provincial Precentor of Canterbury; Carey, Bishop of St. Asaph, was Archdeacon of the Diocese; Carr, Bishop of Worcester, was Canon of St. Paul's; Copleston, Bishop of Llandaff, was Dean of St. Paul's; Gray, Bishop of Bristol, was Prebendary of Durham; Jenkinson, Bishop of St. David's, was Dean of Brecon and Dean of Durham; Maltby, Bishop of Chichester, was Preacher at Lincoln's Inn; Marsh, Bishop of Peterborough, was Professor of Divinity at Cambridge; Monk, Bishop of Gloucester, was Prebendary of Westminster; Murray, Bishop of Rochester, was Dean of Worcester, Rector of Bishopsbourne, and Chaplain to the Archbishop of Canterbury; Percy, Bishop of Carlisle, was Chancellor of Salisbury and Prebendary of St. Paul's; Phillpotts, Bishop of Exeter, was Prebendary of Durham; Ryder, Bishop of Lichfield, was Rector of Pitchley and Prebend of Westminster; Sumner, Bishop of Winchester, was Subdean of Canterbury; Sumner, Bishop of Chester, was Prebend of Durham and Rector of Waverton; Ward, Bishop of Sodor and Man, was Prebend of Salisbury and Rector of Great Horkesley. Such were some of the lucrative and incompatible appointments held by the bishops in 1832.

The wealth—the unnecessary wealth—of these great dignitaries may perhaps be inferred from the fortunes which they left behind them. The bishops who died between 1828 and 1848 are said to have left 1,500,000*l.* of personalty.[1] But the fortunes which they accumulated formed, perhaps, the least vicious part of the system. The property from which their income was derived was managed by themselves; and men who succeeded to their estates in their declining years, and who had no personal interest in their successors, naturally desired to make as much as possible for themselves and their families, and to do as little as possible for those who came after them. No worse system could have been devised for their tenants, for the Church, or for the nation. The patronage which the bishops possessed was divided among the sees as unequally as the estates. But in almost every case it was large, and perhaps in every case it was abused. No enemy to the Church, but a man like Croker—a Tory among Tories—declared: 'There is not (at least there has not been to my knowledge) any single case in which the promotion to the Bench has not been preceded or followed by circumstances connected with patronage which would look very unseemly to the public eye. I remember to have heard that old Bishop Law, of Elphin, saluted a newly-mitred bishop with this congratulation, "My dear Lord, I give you joy; you will now be able to provide for your large family; you will unite all your sons to the Church, and the Church to all your daughters."'[2]

Their wealth.

Their patronage.

Great as were the abuses of the Episcopate, those connected with Cathedral establishments were almost greater. The vast estates of the Chapters were managed on the same vicious principles as those of the bishops.

[1] *Hansard*, vol. cx. p. 962. It was stated in 1845 that the eleven Irish Bishops who had died in the preceding forty or fifty years had left 1,875,000*l.* *Ibid.*, vol. lxxix. p. 1292.

[2] Croker's *Memoirs*, vol. iii. p. 82.

CHAP XXI. 1834.

Non-residence.

Their patronage was lavishly bestowed on members of their own body, or on their personal friends and acquaintances. In consequence, the clergymen appointed to these benefices were frequently, perhaps even usually, non-resident, and the parishes were deprived of the advantage of the presence of a clergyman. It was not, indeed, among Cathedral dignitaries alone that non-residence was specially visible. The mischief in their case was that they—who from their position should have set an example to the Church—sanctioned the worst abuses by their conduct.[1] So prevalent was non-residence that, in about 10,550 benefices, it was variously estimated that from 3,687 to 6,120 clergymen were non-resident.[2] The stipends which in many cases were allowed by these absent pluralists to the curates who did the work were notoriously inadequate. In a parish of 10,000 acres, the whole of the tithes, worth 2,000*l.* a year, went to an ecclesiastical corporation; and there was only one service in the parish church on Sunday because the corporation would not, or could not, afford more than 24*l.* a year as a stipend to the vicar. Richmond and Kingston were united in one benefice because King's College, Cambridge, would not, or could not, afford to endow the two out of the tithes.[3] A senior Fellow of Brasenose held, in 1837, a stall in Hereford, two livings worth 1,100*l.* a year, with a cure of 3,000 souls, and was resident in Paris.[4] Under such circumstances it was only natural that dissent was rapidly increasing. The number of dis-

[1] The bishops set a notable example. Watson, the author of the *Apology*, Bishop of Llandaff, permanently resided in the Lake district. Ashwell's *Life of Wilberforce*, vol. i. p. 343.

[2] The larger estimate will be found in *Parl. Papers*, 1830, vol. xix. pp. 36, 37, where it is given for 1827. The smaller estimate was given by Sir J. Wrottesley in 1833. In 1837 the number of non-residents was placed at 4,975. *Hansard*, vol. xlii. p. 915.

[3] Both these statements rest on the high authority of Peel. See *Croker*, vol. ii. p. 265.

[4] *Hansard*, vol. xxxvii. p. 1006.

senting chapels in England was said to have risen from 4,302 in 1812 to 8,490 in 1836.[1]

Such, stated briefly, was the rotten and corrupt condition of the Church in 1835. In 1836 the first legislative step was taken to reform these abuses. A perpetual Commission was incorporated, in which the surplus revenues of the Church were vested, and the Commissioners were empowered to frame schemes for the redistribution of the bishops' incomes, for the amalgamation of some of the smaller sees, and for the creation of fresh sees in populous districts.[2] Notwithstanding that the Radicals complained that the measure was insufficient, and that the Tories regarded a bill which made the bishops stipendiaries as most prejudicial, the moderate nature of the measure commended itself to most people; and, to the great advantage of the Church, the funds set apart for the support of bishoprics were made adequate for the purpose without allotting stalls and livings to spiritual peers.[3]

The Ecclesiastical Commissioners.

[1] *Hansard*, vol. xlii. p. 910.

[2] 6 and 7 William IV., c. 77. Peel's Commission had proposed to unite St. Asaph and Bangor; Llandaff and Bristol (subsequently changed to Gloucester and Bristol); Sodor and Man and Carlisle; to form two new sees at Manchester and Ripon; to reduce, as vacancies occurred, the value of the nine richest sees from a nominal 102,860*l.* to 70,700*l.*, and to raise the income of twelve sees from 33,560*l.* to 54,000*l.* *Hansard*, vol. xxxv. p. 16. The union of Gloucester and Bristol was effected in the October following the passage of the Act, Allen, Bishop of Bristol, being transferred to Ely. The other amalgamations were not carried out. The Manx raised so much opposition to the union of the see of Man with that of Carlisle that the Commissioners in 1838 abandoned that part of the scheme, *ibid.*, vol. xli. p. 4. The Welsh, imitating the example of the Manx, clamoured against the union of St. Asaph and Bangor. Lord Powis, making himself their mouthpiece, introduced bills to prevent it in 1843-44-45-46. Wellington, on the part of the Government, resisted the measures, on the ground that if they were carried the bishopric of Manchester could not be created, since the ministry could not add a new additional bishop to the Lords and could not contemplate a bishop who was not a peer. On the Bishop of St. Asaph dying in 1846, the Whig ministry gave way, and formed the new See of Manchester, providing that the junior bishop—not being the Bishop of Durham, London, or Winchester—should have no seat in the Lords. For some very curious debates, see *Hansard*, vol. lxix. p. 756, vol. lxxv. p. 484, vol. lxxvi. pp. 122, 591, vol. lxxx. p. 41, vol. lxxxvii. p. 1269, vol. xciii. p. 294, vol. xciv. p. 236.

[3] Duncombe complained of the constitution of the Ecclesiastical

CHAP. XXI.

1834–1849.

Pluralities.

Such was the first important measure of reform in the Church of England. In 1838 it was followed up by a much more significant law. No person was thenceforward allowed to hold more than one preferment; no person holding any Cathedral preferment was in future to hold more than one benefice; no person was to hold two benefices more than ten miles apart or of the joint value of more than 1,000*l.* a year, or two benefices when the population of either of them exceeded 3,000 persons. Even in these excepted cases no person was to hold more than one benefice except with the leave of the bishop and with the approval of the Primate. Heavy pecuniary penalties were attached to non-residence; the licence of the bishop for non-residence was limited to specified cases; and, when the incumbent was non-resident, the bishop was authorised to appoint a curate in charge, with a stipend which was dependent on the value of the living.[1]

In 1839 a further step was taken to increase the usefulness of the revenues of the Church. It was proposed by this measure to reduce the capitular establishments, and to apply the money thus saved to the increased endowment of populous parishes. It was hoped, by the one course, gradually to effect an economy of 130,000*l.* a year, and it was estimated that this saving would be adequate to raise the endowments of all livings in public patronage with fewer than 1,000 people to 180*l.*, with fewer than 2,000 persons to 200*l.*, with fewer than 5,000 people to 300*l.*, and with more

Commission, which he described as composed of five Ministers, five Bishops, and three Tories. *Hansard*, vol. xxxv. p. 360. Charles Buller desired to appropriate the surplus incomes of the bishops to the working clergy, *ibid.*, p. 214. Inglis complained that the bill made the bishops stipendiaries, and the Duke of Cumberland had the folly to designate it as a most prejudicial measure. *Ibid*, vol. xxxiv. p. 598, xxxv. p. 921.

[1] 1 and 2 Vict., c. 106. It took three years to carry the measure. For some of the debates upon it, see *Hansard*, vol. xxxiii. p. 799, vol. xxxv. p. 1045, vol. xxxvi. p. 597, vol. xl. p. 722, vol. xliii. p. 597, vol. xliv. p. 492.

than 5,000 people to 400*l.* a year.[1] The bill, like every other of this wise series of measures, did not satisfy the extreme Tories. One of them, Inglis, went so far as to declare that Parliament had no more right to pass the bill than to allocate the dock duties of Liverpool to the Corporation of Bristol.[2] Notwithstanding Inglis's opposition, however, moderate men of all parties warmly supported the bill, and the measure introduced in 1839 became law in 1840.[3] Thus in a short period of five years future bishops had been converted from great landowners into stipendiaries; steps had been taken for using the surplus income of capitular establishments for the endowment of poor parishes; and an effectual restraint had been placed on the multiplication of pluralities and on the abuses inseparable from non-residence.

The Ecclesiastical Courts.

The revolution which this legislation marks will be much more plain if it is considered in connection with other reforms concurrently introduced and carried. In early English history the union between Church and State had been a union of two distinct organisations in one community. The Church had a separate voice, or separate voices, in the Legislature. When the different estates of the realm ceased to vote separately, she commanded a majority in the House of Lords; by the side of the temporal courts she had her own spiritual courts. She had also sole jurisdiction in testamentary and matrimonial matters.

'The lowest court of ecclesiastical jurisdiction was the Archdeacon's; from thence an appeal lay to the

[1] *Hansard*, vol. xxxv. p. 16. There were inſut ure to be only six canons in Canterbury, Durham, Ely, and Westminster; five in Winchester and Exeter; two in Llandaff and St. David's, and four in the other capitular establishments, (3 and 4 Vict., c. 113, schedule).

[2] *Ibid.*, vol. xlv. p. 859.

[3] The Act is 3 & 4 Vict., c. 113. For the debates on the bill see *Hansard*, vol. xlv. p. 849, vol. liii. p. 590. Ten Prelates voted for, twelve against the second reading. *Ibid.*, lv. p. 1022.

CHAP. XXI. 1834.

Consistory' or Diocesan Court, 'and from thence to the Archbishop or Court of Arches.'[1] From the Court of Arches a further appeal lay to the Crown, which was in such cases accustomed to appoint a commission of review, known as the Court of Delegates. The jurisdiction of the Court of Delegates was transferred to the Judicial Committee of the Privy Council in 1832. The ecclesiastical court not merely punished refractory or immoral clergymen; it concurrently enforced the payment of Church rates, and endeavoured to correct any improprieties of which laymen were guilty.

Church discipline.

Spiritual discipline, indeed, was rarely exercised; but its machinery still remained, and was resorted to by injudicious persons in isolated cases. So lately as 1840 a Jewess, charged with a want of chastity by her sister, was condemned in the Bishop of London's court to acknowledge her offence during the hours of divine service. The churchwardens, wiser than the court, let the wretched woman in at a side door, and, locking the gates of the church, kept the congregation outside till the sentence was executed.[2] But, though folly of this kind was rare, abuses of another sort were frequent. In the good old days when George IV. was king, a suit arose in the Archdeacon's Court at Totnes, was carried to the Diocesan Court at Exeter, thence to the Court of Arches, and finally to the Court of Delegates, on the right of two persons to hang their hats on a particular peg in church.[3] A clergyman named Morris, the incumbent of a Carmarthenshire parish, summoned one Jones, a weaver, his churchwarden, for failing to provide bread and wine for the sacrament. Jones was a dissenter, and also

[1] Paterson's *Liberty of the Press, Speech, and Public Worship*, p. 493, a book which contains in a comparatively small compass a great deal of useful information. The Court of Arches was, of course, so called because it was held in St. Mary's-le-Bow, S. Maria de Arcubus.

[2] For this story see *Hansard*, vol. lxxv. p. 94.

[3] This story rests on the high authority of Nicholl, *ibid.*, vol. lxvi. p. 314.

poor. He pleaded poverty as an excuse for a neglect which his conscience had suggested to him, was condemned for contumacy, and on failure to pay costs was thrown into Carmarthen gaol. There, too, the same clergyman sent another of his flock, one James, a farmer, who had neglected to attend church.[1] James, it seems, had committed the additional offence of voting against the Tory candidate, and he was appropriately cited before another clergyman, Mr. Williams, who was also rural dean and editor of the local Tory newspaper. About the same time, in another part of England, a man was fined 1*s.* and 14*s.* costs for not attending church, and in default of payment was sentenced to ten weeks' imprisonment.[2]

The mischievous jurisdiction of the ecclesiastical courts over laymen was not finally abolished till 1860.[3] But in 1840 two Acts were passed which limited their authority. By one of these the Privy Council or judges of an ecclesiastical court were authorised to release persons committed to prison for contumacy.[4] By the other, proceedings against a clergyman could only be instituted after a preliminary inquiry by a diocesan commission, and with the consent of the bishop.[5] But both Conservative and Whig statesmen were prepared to go much further. The Whigs were anxious to abolish all the ecclesiastical courts except the Court of Arches, and to transfer their criminal and testamentary jurisdiction

[1] For these stories see *Hansard*, vol. xlvii. pp. 522–526.

[2] *Ibid.*, vol. lx. p. 310. Lord Houghton (then Monckton Milnes) said that in 1839 and 1840 eleven other persons were sentenced to prison for from three days to nine weeks for not attending church. In 1843 some young men were fined for playing cricket on Burley Common on Sunday. The Attorney-General said they were rightly convicted for assembling outside their own parishes for purposes not justified by the law. About the same time some men charged with poaching were asked by the justices whether they had been in church on the previous Sunday, and were fined 1*s.* each with 3*l.* costs. These men, in default, were eleven weeks in Lancaster Castle. *Hansard*, vol. lxxi. p. 762; vol. lxxiv. p. 999.

[3] 23 & 24 Vict., c. 32.

[4] 3 & 4 Vict., c. 93.

[5] 3 & 4 Vict., c. 86.

CHAP. XXI. 1834–1849.

to the ordinary courts. The Tories, on the contrary, desired to preserve the Diocesan Courts, and to abolish only the inferior courts. This difference of opinion led to the loss of the various measures of reform which were introduced. But the important fact to note is that the wisest men on both sides were ready to reform and curtail ecclesiastical judicature. For the first time since the Reformation, Parliament was redistributing the property of the Church for the sake of increasing its efficiency, and curtailing its judicial powers for the sake of preventing the continuance of abuses.[1]

The nonconformists.

The wisest statesmen, however, were not satisfied with attempting to increase the efficiency of the Church and to abolish the anomalies of ecclesiastical jurisdiction. They at the same time displayed a desire to conciliate the nonconformists by removing some of the serious disabilities under which they still lay. The dissenters complained that the laws which refused them all share in the great advantages of the Universities, which compelled them to pay a rate for the repair of the church, and which allowed a clergyman of the Anglican Communion to conduct their funerals, were unjust. Many years elapsed before the benefits of the Universities were opened to dissenters, before they were relieved from the payment of Church rates, and before the burial laws were revised. The accomplishment of these reforms did not fall within the period embraced in this history. But the efforts made to effect them had a significance of their own, and must be recollected by anyone who wishes to understand the religious history of the century.

[1] A history of the legislation from 1829 to 1843 was given by Lyndhurst in 1844. *Hansard*, vol. lxxiii. p. 1311. The bill of that year passed the Lords and was lost in the Commons. For various divisions, *ibid.*, vol. lxxv. pp. 106–131. Lyndhurst declined to reintroduce the bill in 1845 (*ibid.*, vol. lxxviii. p. 261), and Cottenham later on ineffectually attempted to legislate. *Ibid.*, vol. lxxx. p. 836.

The great Universities dealt with the dissenters in different ways. At Dublin, ever since the Act of 1793, nonconformists had been admitted to the studies and to the degrees of the University. At Cambridge they had been admitted as students, but a test had been exacted from graduates which disabled nonconformists from taking a degree. Oxford, more intolerant than either of her sisters, exacted a test on matriculation, and thus excluded those who did not conform to the Church from the advantages of her schools. In 1834 a bill to open both the English Universities to dissenters passed the Commons by large majorities, but was thrown out by a relatively still greater majority in the Lords. Discouraged by their defeat, the dissenters, instead of continuing the attack, laboured to obtain a charter for the new University of London.[1] The institution of this new University in 1836 removed one of their most obvious grievances, and to a certain extent reconciled them to their continued exclusion from the advantages of the older foundations. Engaged, moreover, in another and a greater struggle, they forbore for a time from pressing home their attack on Oxford and Cambridge.[2]

The Universities.

It is as easy to understand the circumstances under which Church rates were first instituted as it is to realise the irritation which their collection ultimately occasioned. So long as the Church of England was the Church of the nation, to which every Englishman was compelled to belong, and whose services he was required to attend, there was no reason why each householder should not be taxed to support its fabric. But from the middle of the eighteenth century dissent became a power in the land, and dissenters, forced to provide for the repair of their own chapels out of their own funds, naturally objected to be taxed for a Church

Church rates.

[1] *Hansard*, vol. xxiv. p. 714, vol. xxv. pp. 815–886; cf. May's *Constitutional History*, vol. iii. p. 198.

[2] *Ante*, vol. iii. p. 297.

CHAP. XXI. 1834–1849.

with whose doctrines they disagreed and in whose ministry they had no interest.[1] Hence arose an increasing agitation for the discontinuance of Church rates. Althorp in 1834, and Spring Rice in 1837, introduced measures for their abolition. Althorp offered, if the Church would surrender the rates, to charge the Land Tax with a grant of 250,000*l.* a year, or about one-half the sum which the rates produced. Spring Rice, with more consistency, suggested that the property of the Church should be placed in the hands of commissioners who, by improved administration, would, he thought, be able to provide out of it the sum necessary for the repair of churches.[2] Neither proposal proved acceptable to Parliament. The nonconformists naturally objected to place a heavy charge on the Consolidated Fund for the purpose of strengthening a Church which many of them thought already too strong. The Church, on the contrary, objected to applying any surplus which improved administration of its own funds might produce to the purposes for which Church rates had hitherto been applicable. Both measures consequently failed, and the whole question remained unsettled.

Yet the necessity for a settlement was daily becoming more obvious. Outside the walls of Parliament the dissenters were organised in opposition to the rates, and were prepared to resist the law and to suffer imprisonment rather than pay it.[3] In parishes where dissent was weak, individual dissenters had no other remedy. In parishes where dissent was strong, the nonconformists took much bolder courses. In Manchester they succeeded in defeating the proposal to impose a rate.[4] In

[1] There is an excellent statistical analysis of the progress of dissent in May's *Constitutional History*, vol. iii. p. 223. In 1851, one-third of the population of England and Wales was outside the pale of the Church.

[2] For Althorp's bill, *Hansard*, vol. xxii. p. 1012, for Spring Rice's, *ibid.*, vol. xxxvi. p. 1207.

[3] Captain Flower's case will be found referred to in *Hansard*, vol. xxxvi. p. 1214; Thorogood's case in *ibid.*, vol. xlvii. p. 684.

[4] There was a poll of 8,000, and

Braintree they achieved a similar victory. But the churchwardens, in defiance of the vestry, collected the rate. It is perhaps unnecessary to trace the history of the protracted proceedings to which this strange conduct gave rise. It is sufficient to say that the House of Lords ultimately declared the rate illegal, and that other parishes hastened to follow the example of Braintree.[1] The Church had hitherto adhered to a Church rate as part of its property, and a little parish in Essex had made it plain that the so-called property only rested on the will of the majority.

The Braintree case.

Some years were still to pass before Parliament ultimately found a solution of a protracted contest by maintaining the Church rate, but making its payment voluntary. In the interval, the persistency of the struggle proved the increasing power of dissent and the readiness of the Nonconformists to join in an attack on the Church. Other instances of the growing strength of those outside the Church, and of the increasing desire of Parliament to remove all religious inequalities, might easily be instanced. Two examples will, however, be sufficient. In 1844 Parliament passed an Act authorising the Unitarians to retain the chapels which they held. In the same year it swept away much of the disabling legislation under which the Roman Catholics still lay.[2]

Unitarian chapels.

the rate was lost by only one vote. On a scrutiny the rate was allowed, but the churchwardens did not venture on collecting it. In 1834 the rate was again rejected by a very large majority.

[1] The Braintree case is given in May's *Constitutional History*, vol. iii. p. 205. Sir E. May says that 1,525 parishes up to 1859 followed the example of Braintree, *ibid.*, p. 207.

[2] The first of these measures rose out of a decision of the House of Lords in 1844 on Lady Hewley's charity estate. Lady Hewley, by deeds executed early in the eighteenth century, had left certain property in trust for the provision of 'godly preachers for the time being of Christ's Holy Gospel.' At the time at which these deeds were executed, and indeed for upwards of 100 years afterwards, Unitarians enjoyed no rights under the Toleration Act. But Lady Hewley's estates gradually passed into the hands of trustees the majority of whom were Unitarians, and the rents were applied for the benefit of 237 Unitarian chapels. The House of Lords held in 1844

CHAP. XXI. 1834–1849.

The consequences of Liberal legislation.

Thus religious legislation, in a reformed Parliament, was assuming a novel form. The Legislature was, with the one hand, increasing the efficiency of the Church by the redistribution of its revenues, and, with the other hand, removing the disabilities of Roman Catholics and Nonconformists. The clergy of the Church of England, who have never been distinguished for the liberality of their opinions, saw with marked displeasure that the Legislature was destroying its privileges and appointing commissioners to manage its estates. Their own views approximated much more closely to those of Phillpotts and Inglis than to those of Peel and Russell. They naturally rallied in support of the statesmen whose opinions they shared, and in whose policy they concurred.

The controversy between free thought and religion.

Thus the policy of moderate men in the Legislature was stimulating the reaction already prepared by extreme men in the Church. Its guidance was sure to fall to zealous clergy, who, however much they might be occupied with the attack on the Establishment, could not venture to ignore the simultaneous assault which science and rationalism were making upon religion. A generation before, Paley and Watson had endeavoured to meet

that, as Lady Hewley had herself been a Trinitarian, and as no Unitarians were tolerated for a century after her deed was executed, the estates must pass to Protestant dissenters, believers in the doctrine of the Trinity. Paterson's *Liberty of the Press, &c.*, p. 530; cf. May's *Constitutional History*, vol. iii. p. 199. This decision created consternation among the Unitarians, who had enjoyed the advantages of the Hewley trust for sixty or seventy years. And, on Lyndhurst's initiation, a bill was passed, providing that 'where the founder had not expressly defined the doctrine or form of worship to be observed, the usage of twenty-five years should give trustees a right to the endowment.' May's *Constitutional History*, vol. iii. p. 200, 7 & 8 Vict, c. 45. The other measure referred to in the text, 7 & 8 Vict., c. 102, swept away a mass of legislation chiefly affecting the Roman Catholics. These statutes were for the most part obsolete, but the Roman Catholics naturally complained of their existence on the Statute Book. Two years afterwards, in 1846, Parliament further purged the Statute Book of other legislation of the same character, 9 & 10 Vict, c. 59. But this did not settle the matter, and Anstey proposed further legislation in 1850. *Hansard*, vol. cviii. p. 530, and in 1851, vol. cxiv. p. 362. The measure was lost in that year in consequence of the agitation on the Ecclesiastical Titles Act. *Ibid.*, p. 363.

criticism by argument. Throughout the eighteenth century, indeed, almost every publication which had suggested doubt had attracted an orthodox reply. But experience showed that no arguments could resolve doubts. Only one course was open to the divine. He could still borrow a policy from the earlier Church, and enthrone faith above reason. Doubts which could not be removed by argument could be extinguished by authority.

Oriel College.

In the second decade of the present century, a small body of remarkable men were collected in Oriel College, Oxford. Copleston was provost of the college, but Copleston was under the influence of one stronger and abler than himself, Whately. In the same period, Arnold passed his career at Corpus as an undergraduate. At Corpus he was the friend of Keble and of Coleridge, the nephew of the poet. Arnold and Keble subsequently became fellows of Oriel, and Oriel was also joined by Hampden, by Mr. Newman, by Pusey, and by Richard Hurrell Froude.

The two men who gave tone and colour to the religion of the college were Whately and Arnold. Whately was essentially a logician, always anxious to establish logical grounds for his creed. Impatient of contradiction in discussion,[1] he was in practice tolerant of difference;[2] and, though he dissented widely from the Evangelical school of divines, many of his warmest friends were members of that body. Arnold, on the contrary, was in theory more tolerant than Whately, but in practice his tolerance was confined

[1] Mozley's *Reminiscences*, vol. i. p. 29.

[2] He once complained that children were taught persecution in the nursery—

Old Daddy Longlegs won't say his prayers,
Take him by the left leg and throw him downstairs.

—*Life of Whately*, vol. i. p. 55; cf. Stanley's statement, that when he came to the prayer that we might be hurt by no persecution, he always added internally a prayer 'that we may not be persecutors.' Stanley's *Christian Institutions*, p. 239.

CHAP. XXI. 1834–1849.

within very narrow limits. He had, in early life, passed through so many doubts, that he was naturally inclined to sympathise with the doubts of other people.[1] But perfect toleration is a rare quality, and Arnold, though he was ready enough to receive those whose doubts bore some resemblance to his own on equal terms with himself, had no claim to the broader tolerance which places men of every religion and of every sect on the same level. To the end of his life, he could hardly speak of the leaders of the great Church movement of his time in terms of patience; he was stoutly opposed to the concessions which an age, in some respects more liberal than himself, decided on making to the Jew.

These two men, Arnold and Whately, gave the tone to religious thought at Oriel, at the time when Oriel was influencing religious thought at Oxford. Contemporary, indeed, with them, Keble, a man of more refined intellect than either, drew reverence from all men by the simplicity of his life and the sweetness of his manners. But Keble's influence was wholly different from that of Arnold and Whately. His nature fitted him to dwell in retirement, and nurture in privacy the thoughts which made him the sweet singer of his Church. Their nature, on the contrary, impelled them into affairs and made them the leaders of men.

Mr. Newman.

While the religious world at Oxford was under this influence, Mr. John Henry Newman became an undergraduate. Those who differ widely from Mr. Newman on matters of opinion will bear their testimony to the graceful purity of his religious mind. He naturally fell under the influence of Whately, from whom he received kindnesses which affected his career; and in 1825, when Whately became principal of Alban Hall,

[1] It was said of Arnold, 'One had better have Arnold's doubts than most men's certainties.' Stanley's *Arnold*, vol. i. p. 22.

Mr. Newman became his vice-principal.[1] But the minds of strong men become less susceptible to extraneous impressions as they mature, and Mr. Newman, even before he became vice-principal of Alban Hall, was diverging from Whately. Anyone who will carefully compare the works which illustrate the Oxford movement will probably conclude that the divergence was promoted by the influence of a younger man—Richard Hurrell Froude[2]—who became a commoner of Oriel in 1821. Froude was the son of Archdeacon Froude, of Dartington. He grew up to manhood a Tory among the Tories. But his politics were from the first insensibly moulded by his religious views. In religion he was perpetually endeavouring to base his own conduct on what he thought to be the example of the primitive Church, and he practised, as a young man, a strict asceticism which in all probability shortened his days. With much in common with one another, Mr. Newman and Froude were rapidly drawn together, and, as the influence of Froude increased, the influence of Whately declined. Several other circumstances tended to diminish Whately's influence. Copleston was removed to Llandaff in 1826, Whately himself was made Archbishop of Dublin in 1831, Arnold, immediately after taking his degree, withdrew from the University to the active work of tuition; and thus a religious movement, originally led by men in favour of comprehension and reason, passed under the sway of men desirous of exclusion and authority.

Richard Hurrell Froude.

This circumstance receives a striking illustration from the lives of the sons of Wilberforce. It was the misfortune of this great and good man to survive the

Wilberforce.

[1] Mozley's *Reminiscences*, vol. i. p. 31.

[2] For Hurrell Froude, see Mr. Newman's account in *Apologia*, p. 24, and cf. Bishop Wilberforce's judgment. Froude was 'upon the whole possessed of the most original powers of thought of any man I have ever known intimately.' *Life of Wilberforce*, vol. i. p. 95.

CHAP. XXI. 1834–1849.

period of his zenith, and to sink to his last repose amidst an increasing obscurity. Embarrassed in his affairs, enfeebled in his health, he gradually withdrew from the society which he had adorned, and sought in the bosom of his own family and in the privacy of his own study the quiet for which he had frequently yearned in public life. Such a retirement was not favourable to the growth of his school. His own sons were disappointed at the position to which their father had gradually fallen; the ablest of the friends of their youth was telling them that there were not two hundred men in London who believed in the Bible.[1] Endowed with the deep religious sense, which they had inherited from their father, they too, like Newman, saw no rest for their faith except it were founded on the rock of authority, and gradually connected themselves with the new party which was rising up at Oxford.

The origin of the Oxford movement.

Yet, for some time, it was doubtful whether the new party would materially influence thought. Keble, indeed, accustomed a world of readers to ideas of religion, which in England were almost new, by the graceful poems on the 'Christian Year' which he published in 1827. But in 1829 the movement had made so little progress that Mr. Newman actually voted for Inglis against Peel in the struggle for the representation of the University. While his opinions were still immature he was persuaded to join Hurrell Froude and his father on a tour in the South of Europe. The friends set out in December 1832; Mr. Newman returned to England in July 1833. While he was abroad, therefore, the first reformed Parliament met, and its meeting seemed pregnant with fatal consequences to the Church of England. The ministry brought forward a measure for the suppression of Irish bishoprics. A Radical member of Parliament proposed the disendowment of

[1] Mozley's *Reminiscences*, vol. i. pp. 103, 107.

the English Church. The House of Commons passed a measure sanctioning the admission of Jews to the Legislature, and the agitation began which ultimately led to the repeal of Church rates and to the admission of dissenters to Universities. Every post which reached the travellers brought news of some fresh onslaught on the Church of England; every day seemed to loosen some stone from the crumbling edifice. Yet the information which they had gained on their travels had convinced them that the structure was well worthy of repair. Froude had left England with a heart which was yearning for Rome; he returned to England convinced of the errors of what he would himself have called a Tridentine Catholicism.[1] He still desired to revert to a traditional Catholicism, but he concluded that the Anglican had as much claim as the Roman Communion to consider itself in accord with the primitive Christianity of the first three centuries.[2] He still disliked the changes which had been introduced into the English Church at the Reformation, but he disliked still more the reforms which Rome had made at and after the Council of Trent. He desired, therefore, to maintain the English Church, but to mould it anew on the pattern of the Fathers. Reforms, however, such as those which he sought could not be obtained while the Church was linked with the State. He was therefore inclined to join with the Radicals in freeing the Church from the trammels which its connection with the State imposed upon it. He thus left England a Tory by birth, and an Anglican with a strong sympathy for Rome. He returned to England a Liberal, and with a strong aversion from modern Romanism.[3]

A premature death removed Hurrell Froude at a

[1] Froude's *Remains*, vol. i. p. 434.

[2] *Ibid.*, vol. i. p. 293.

[3] *Ibid.*, p. 312, and cf. his desire to deprecate 'every kind of extra-ecclesiastical interference' in measures affecting the spiritual welfare of the Church in *ibid.*, vol. i. p. 330.

CHAP. XXI. 1834–1849.

very early date from the ranks of the reformers, and his place in the history of the Church movement is worth recording, not from what he did, but from what his influence made others do. His friendship and his conversation had already done their part in estranging Mr. Newman from his earlier religious views; the tour in Italy confirmed the impression which had been already made. The two friends, one of whom had gone to Italy in the vain hope of baffling the disease which was destroying him, the other of whom fell ill of a fever which proved nearly fatal, persuaded one another that a work was to be done, and that they were the men to do it.[1]

Keble's Assize sermon.

Still ill, or weak, Mr. Newman reached England on the 9th of July. On the following Sunday, Keble preached an Assize sermon on National Apostasy from the University pulpit. The sermon is worth remembering because Mr. Newman has always associated it with the commencement of the great movement which immediately succeeded. But the movement would have occurred if the sermon had not been preached. Keble's words merely augmented the impulse which Mr. Newman had already received. By voice and by pen he set himself to work out the scheme of Church reform which he at that time contemplated. Letters to the

[1] The history of Mr. Newman's illness is told in the *Apologia*, p. 34, but cf. the interesting account of it in Hurrell Froude's *Remains*, vol. i. p. 318; compare also Newman's sayings on his sick bed, 'I shall not die. I have a work to do in England,' with Hurrell Froude's lines in the Dialogue between his new self and his old self.

'Mourn'st thou, poor soul! and would'st thou yet
Call back the things, which shall not, cannot be?
Heav'n must be won, not dreamed; thy task is set;
Peace was not made for earth nor rest for thee.'

In the very month, perhaps on the very day, on which Froude was composing this Dialogue, Mr. Newman was writing, hundreds of miles away from him

'I was not ever thus, nor prayed that thou
Shouldst lead me on,'

in the beautiful hymn whose whole meaning is hidden to anyone who omits to reflect that its author was leaving a bed of sickness to head a great religious movement. *Apologia*, pp. 35, 119.

Record, conferences with clergymen, gatherings at country rectories, were some of the expedients by which the earlier days of the movement were characterised. But these efforts were soon forgotten in consequence of a new decision which gave a name to the cause. The reformers decided on converting Church people to their principles by the publication of a series of Tracts; the Tracts ultimately won for them the name of Tractarians.

The Tractarians.

The Tractarians were face to face with an attack upon religion and upon the Church. Faith could only apparently be supported by opposing authority to reason, and the first condition of the contest involved, therefore, a demonstration that the English Church was entitled to speak with authority. Its authority, however, could only be proved if its connection with primitive Christianity were demonstrated. Up to the Council of Trent—so it was argued—there was one Catholic and Apostolic Church in which authority had resided. The dissensions of the sixteenth century had split this Church into fragments, all of which had rapidly accumulated errors after the division. But the errors of the Church of England were not greater than those of the Church of Rome, and were much more easily corrected. For Rome professed that it was infallible, and its profession hindered it from admitting itself wrong, while England made no such profession, and was thus open to reform. The two tasks, therefore, which the Tractarians set themselves, were to establish first that the authority of the primitive Church resided in the Church of England, and second, that the doctrines of the English Church were really identical with those of pre-Tridentine Christianity.[1] Perhaps some day their

[1] Lloyd, who was afterwards Bishop of Oxford, while Regius Professor of Divinity, had drawn the distinction between Romanism as defined by the Council of Trent and the Romanism of the Romish Church at the time of the Reformation. Stoughton, *Religion in England*, 1800–1850, vol. ii. p. 35.

CHAP. XXI. 1834–1849.

first object will be chiefly recollected because it inspired the earliest serious effort of a young man who lived to become one of the greatest of modern statesmen, and because his arguments were answered, or, as most critics will think, destroyed by the great Whig historian of the century.[1] The Tractarians' second object is chiefly recollected because it produced the Tract which brought their series to an abrupt conclusion. Tract XC. is an elaborate attempt to prove that the articles of the English Church are not inconsistent with the doctrines of mediæval Christianity; that they may be subscribed by those who aim at being Catholic in heart and doctrine;[2] and, as a great author[3] has put it, that every Roman doctrine—he would have been more accurate if he had written every Catholic doctrine—may be held within the limits of the English Church.

Tract XC.

Few books published in the present century have made so great a sensation as this famous Tract. Four Oxford tutors at once declared its teaching to be most

[1] Arnold spoke of the Tractarians, in connection with the argument, as 'those extraordinary persons who gravely maintain that primitive episcopacy, and episcopacy as it now exists in England, are essentially the same.' Stanley's *Arnold*, vol. ii. p. 2. He was therefore inclined rather to smile than to be alarmed at the Tractarian movement. But his opinion rapidly changed. In 1836 he wrote the article in the *Edinburgh Review* on 'the Oxford Malignants.' But the title to the article was added by Napier, the editor. *Ibid.*, p. 9.

[2] Tract XC. is, in one sense, one of the most melancholy books which have ever been written. It is the attempt of a good man to justify his continuance in a Church, whose teaching he disliked, by placing an interpretation on words which they cannot bear. Take, for instance, the construction in the Tract of the 22nd Article of the Church, 'The Romish doctrine concerning purgatory, pardons, &c., is a fond thing vainly invented.' Nothing can be plainer than that the writer intended to denounce in the articleth e doctrine of purgatory, and pardons, &c. Mr. Newman, however, declares that the article did not mean to do this, but that it only denounced the Romish doctrine and not the primitive doctrine, which he attempts to prove was a thing distinct from the Romish doctrine. See the Tract, pp. 23–42, and cf. the author's own account in *Apologia*, p. 78, and his allegation, 'the articles are to be interpreted, not according to the meaning of the writers, but (as far as the wording will permit) according to the sense of the Catholic Church.' *Ibid.*, p. 137.

[3] Dean Stanley in *Edinburgh Review*, No. 314, p. 319.

startling and dangerous. The Hebdomadal Board precipitately condemned it as 'evading rather than explaining the meaning of the articles,' and Bagot, Bishop of Oxford, Mr. Newman's own diocesan, asked the author to suppress it. The request placed the author in a singular dilemma. The double object which he had set himself to accomplish became at once impossible. He had laboured to prove that authority resided in the English Church, and authority, in the person of his own diocesan, objected to his interpretation of the articles. For the moment Mr. Newman resolved on a compromise. He did not withdraw Tract XC., but he discontinued the series. The Tracts, as a recent writer has said, 'ceased at the moment when they became the best read publication of the day.'[1] The discontinuance of the Tracts, however, did not alter the position of authority. The bishops, one after another, 'began to charge against' the author.[2] Authority, the authority which Mr. Newman had laboured to establish, was shaking off the dust of its feet against him.

Its condemnation.

The attacks of the bishops made Mr. Newman's continuance in the Church of England difficult. But, long before the attack was made, he had regarded his own position with dissatisfaction. The researches which he had made into the history of Christianity had convinced him that the disputes which agitated the Church in the sixteenth century had been preceded by similar differences in the fifth century.[3] The Monophysite of the fifth century occupied the position of the Protestant of the sixteenth century; and, if the Monophysites were wrong, the Protestants could not be right. But the whole bent of Mr. Newman's teaching had been to show that the Church of the fifth century was right, and that the Monophysite was wrong; and it followed

[1] Mozley's *Reminiscences*, vol. ii. p. 386.

[2] *Apologia*, p. 139.

[3] *Ibid.*, p. 114.

CHAP. XXI. 1834–1849.

that Rome in the sixteenth century was right, and the Protestants were wrong. The wretched squabbles of the fifth century, of which perhaps not one person out of a thousand people has any cognisance, were thus the singular means of opening Mr. Newman's eyes to the untenable nature of his own position. But, immediately after the publication of Tract XC., and the attack of the bishops, another singular event drew Mr. Newman still further towards Rome. Good men in Germany and England thought that it would be a desirable thing to send a Protestant bishop to Jerusalem. Bunsen, the Prussian Minister in London, had married an Englishwoman; the Queen was herself married to a German Prince; and, through the influence of Bunsen, and the co-operation of the Prince Consort, Germany and England decided on the appointment of a bishop who should at once supervise the Lutheran Church of Germany and the Protestant Church of England in Jerusalem. It is difficult at the present time [1] to feel any of the enthusiasm for the scheme which its promoters shared, or any of the horror of it which was felt by Mr. Newman. A communion with Lutherans, Calvinists, and even Monophysites seemed to him an abominable thing, which tended to separate the English Church further and further from Rome. It was a step to Catholicity, but not to the Catholicity at which Mr. Newman was aiming.[2] From the hour that the see was established, his own lot was practically decided. For a few years longer he remained in the fold in which he had been reared, but he felt like a dying man. He gradually

The Jerusalem bishopric.

[1] Mr. Bright said in 1851—and the passage is too characteristic to be passed over—'A bishop was sent lately to Jerusalem; and he did not travel like an ordinary man—he had a steam frigate to himself, called the *Devastation*. And when he arrived within a stone's throw, no doubt, of the house where an apostle lived, he landed under a salute of twenty-one guns.' *Hansard*, vol. cxiv. p. 249.

[2] *Apologia pro Vita Sua*, p. 143, and cf. *Life of Hook*, pp. 336–341.

withdrew from his pastoral duties, and finally entered into communion with Rome.

It was necessary to relate in some detail the development of Mr. Newman's religion, because the progress of his views corresponded with the course of the movement which he originated, and the best history of Tractarianism from 1833 to 1841 is to be found in the growth of Mr. Newman's mind. After 1841, when the publication of the 'Tracts for the Times' ceased, Mr. Newman himself withdrew from the active direction of the movement. The principles, however, which he had endeavoured to enforce in Tract XC. were elaborated or exaggerated three years afterwards by Ward in 'The Ideal of a Christian Church.' It was the object of Ward, as it had been that of Mr. Newman, to give a Catholic sense to the Thirty-nine Articles. The Hebdomadal Board, which had been roused into action by Tract XC., determined on a fresh display of vigour. It condemned the new book as inconsistent with the articles, and its author for subscribing to them when he took his degrees. It degraded Ward from the rights and privileges which his degrees conferred upon him, and it was only prevented by the veto of the proctors from repeating its condemnation of Tract XC. These intemperate proceedings probably precipitated Mr. Newman's secession; they had naturally the effect of driving Ward into the arms of Rome.[1]

Ward's 'Ideal of a Christian Church.'

A great movement never perishes for want of a

[1] Dean Stanley's account of this controversy is excellent. *Edinburgh Review*, No. 314, pp. 318–326; cf. Stephens' *Life of Hook*, pp. 391–393. *Wilberforce*, vol. i. p. 245. The language of the *Times* may perhaps be accepted as an indication of the feeling at the time. On the 14th of February 1845 it wrote, 'Sincerely do we congratulate the public that his [Ward's] scandalous and offensive work should have been condemned by a majority of more than two to one.' Seven days before, quoting from the *Standard*, it wrote: 'We rejoice to be able to announce that the Hebdomadal Board at Oxford have, by a large majority—sixteen to eight—resolved to comply with the requisition of 474 members of Convocation to propose a condemnation of Tract No. 90.'

CHAP. XXI. 1834–1849.

leader. After the secession of Mr. Newman, the control of the movement fell into the hands of Dr. Pusey. A profound Hebrew scholar, a grave divine, and a learned man, Pusey had already infused sobriety and responsibility[1] into the cause which he was assisting. Pusey, like Mr. Newman and Ward, fell under the censure of authority, and a sermon on the Eucharist in 1843 procured his suspension from preaching in the University pulpit for a couple of years.[2] But the censure of authority had a different effect on him from that on his fellow-labourers. While they were driven from the Church, he steadfastly continued in it.

Pusey.

Thus a simultaneous assault on the temporal and spiritual position of the Church had produced the reaction which is the inevitable consequence of attack. In Parliament, indeed, the defence of the Church had fallen into the hands of reformers who had the wisdom to meet aggression by concession. But in the country, its defence had been undertaken by men opposed to all change, who had rallied their followers under the standard of authority. No one acquainted with the history of religion can doubt that an appeal to authority could have any issue but one, or that the road on which the Tractarians were travelling could lead to any goal but Rome. No feeling among Englishmen, however, is so strong as that against Rome. The Tractarian movement had from the first been regarded with suspicion because it was thought to tend Romewards. Suspicion was changed into conviction when Mr. Newman's secession was followed by other conversions.[3] The men who still remained in the English Church, but who adopted the practices which Mr. Newman had advocated, were denounced, and in some instances molested by their people. In the diocese of Exeter

The secession to Rome.

[1] *Apologia pro Vita Sua*, p. 62.

[2] *Wilberforce*, vol. i. p. 228. Stephens' *Life of Hook*, p. 342.

[3] For an account of these conversions see, e.g., *Hansard*, vol. cxiv. p. 37; cf. Stephens' *Hook*, pp. 398-400.

especially, where the Bishop sympathised with the High Church party, a strong agitation arose against the innovations which he had encouraged. The surplice in the pulpit, the weekly offertory, were both regarded as steps towards Rome; and the clergyman who turned towards the east, or who read the prayer for the Church Militant, was regarded as a Papist in disguise.[1]

Excitement in the country.

While Peel remained in office the reaction against the High Church movement received no encouragement from the State. The accession of Russell to power was, however, the signal for a new policy. The Whig minister's opinions were in accordance with those of the Bible Society. He regarded with distrust the changes which the Tractarians had introduced, and 'the sensual or symbolical worship of the Church of Rome and its imitators.'[2] In his Church appointments he consequently selected men trained in an opposite school of thought. For, though attention has hitherto been confined to the Tractarian movement, it must not be forgotten that other parties in the Church were continually advocating a contrary policy to that which Mr. Newman and his fellow-workers had originated. Men like MacNeile were carrying on the Evangelical movement which Wilberforce had originated. Men like Whately and Arnold and Hampden were endeavouring to strengthen the Church by a policy of comprehension, and instead of opposing authority to science, were desiring to reconcile the teachings of science with the language of the Bible.[3]

Agitation against the Tractarians.

The Broad Church.

[1] Anyone who wishes to follow up the account of disturbances in Devonshire and Cornwall, will find ample material in the *Times* of February and March 1845. For the disturbances in London, see Dr. Stoughton's *Religion in England*, 1800–1850, vol. ii. p. 202.

[2] See a curious and characteristic account of Ritualism in *Recollections and Suggestions*, p. 425.

[3] There is a good account of the Low Church revival in 1827–31 in Dr. Stoughton's *Religion in England*, 1806–1850, vol. ii. p. 86. It was the desire to stop the spread of infidelity which induced Plumer Ward to write *Tremaine*, a novel which was much better known fifty years ago than it is now. It was the wish to reconcile the teachings of science with the language of the Bible, that

CHAP. XXI. 1834–1849.

It has seemed desirable to illustrate the history of the Tractarian movement by tracing the progress of one man's mind. It may be possible to relate the history of the Liberal reaction by describing the animosity which one other man provoked. The career of Hampden in many respects resembles that of Cardinal Newman. Both men were educated at Oriel; both of them were fellows of the college; both of them became heads of houses at Oxford. Both of them had thus lived in the same atmosphere, and had been influenced by the same great and good minds.

Hampden.

In 1832 Hampden was selected to preach the Bampton Lectures. The Rev. John Bampton, some readers may require to be told, had made provision by his will for the delivery of eight lectures on eight Sundays at Oxford to confirm the Christian faith and to refute all heretics and schismatics. Hampden chose as the subject of his course, 'The Scholastic Philosophy considered in its relation to Christian Theology.' Nearly fifty years afterwards a great liberal Churchman declared that these Lectures afford the best solution of many of the perplexities in which Christian theology has been involved.[1] But this view of the matter was not and could not be shared by the High Church party, and their indignation was increased by the publication in 1833 of a pamphlet by Hampden, supporting the proposal to admit dissenters to the Universities.[2] Still, in 1833 the Oxford movement was only in its infancy; Liberalism still held its own in the University, and Hampden in the same year was made principal of St. Mary's Hall. This distinction gained him further promotion. In 1834 he was made Professor of Moral Philosophy, and in the

induced the last Lord Bridgewater to make the will which led to the publication of the *Bridgewater Treatises*. These treatises, however, did much more to make science popular than to remove doubt.

[1] Dean Stanley in *Edinburgh Review*, No. 314, p. 318.

[2] Arnold, in 1833, advocated embracing dissenters in the Church. Stanley's *Arnold*, vol. i, p. 294.

beginning of 1836 was selected by Melbourne for the Regius Professorship of Divinity.

His appointment as Regius Professor of Divinity.

There is no reason to suppose that Melbourne in making this appointment was conscious of the animosity which it was calculated to provoke. His views on Church as well as on State were indeed broad and liberal, but he cared much more for a quiet life than for the success of his own opinions. He shrank from offering Arnold a bishopric, and he probably gave Hampden the Regius Professorship because he imagined that the appointment would give little or no offence.[1] But he was quickly undeceived: the two Archbishops called upon him to remonstrate; Mr. Newman declared that those who did not protest were incurring a greater responsibility than had been incurred by the members of the University for many centuries;[2] and the Hebdomadal Board at Oxford, or the Board of Heads as it was then called, passed a statute declaring that, having no confidence in Hampden, they could not allow him to judge the qualifications of the select preachers of St. Mary's. This stroke, indeed, failed. The proctors interfered with their veto, as eight years afterwards they were to interfere on a more memorable occasion; and, when it was found that office had the same effect on Hampden that a coronet is supposed to produce on a Radical, the storm which had arisen in the teacup was gradually allayed.[3]

In fact, in the next few years sober Churchmen were more alarmed at the consequences of the movement which Mr. Newman had originated than at the Liberal opinions which Hampden had displayed. On the reconstruction of the Hebdomadal Board in 1842 the heads

[1] Torrens' *Melbourne*, vol. ii. p. 181; cf. the account in *Greville*, vol. iii. pp. 341–343.

[2] In the *Elucidations*. Cf. *Edinburgh Review*, No. 314, p. 318.

[3] See Ashwell's *Life of Wilberforce*, vol. i. p. 92, Newman's *Apologia*, p. 57, Mozley's *Reminiscences*, vol. i. pp. 343, 350, *Life of Whately*, vol. i. pp. 353, 390, *Hansard*, vol. xxxix. p. 1397.

CHAP. XXI. 1834–1849.

of houses actually appointed him to its chair, though the Board still declined to rescind its recorded censure.[1] Five years afterwards, on the formation of a new see at Manchester and on the death of Vernon, Archbishop of York, it fell to the lot of Russell to select two new bishops. To Manchester he appointed Lee, who had served under Arnold at Rugby, and who had afterwards been appointed head master of King Edward's School at Birmingham. To York he promoted Musgrave, Bishop of Hereford; and he filled Musgrave's place at Hereford with the Regius Professor of Divinity.

and as Bishop of Hereford.

These appointments were undoubtedly injudicious. Both the new men were liberal in politics, both of them were liberal in their religious opinions. And other charges had been preferred against Lee, which were, however, ultimately disproved. The objections, however, which were made to Lee's appointment were drowned in the clamour against Hampden's nomination. The rectory of Ewelme was at that time annexed to the Regius Professorship of Divinity. Ewelme was in the diocese of Oxford, a see which had lately been entrusted to Wilberforce, a prelate whose capacity, whose eloquence, and whose earnestness gave him eminence among his brethren, but whose sympathies were more in favour of the party which Mr. Newman had founded than with the school of thought with which his own father had been identified. Thirteen bishops, of whom this active prelate was the moving spirit, addressed a remonstrance to the Prime Minister against the appointment. Russell, however, declined to 'assent to the doctrine that a decree of the University of Oxford is a perpetual bar of exclusion against a clergyman of eminent learning and irreproachable life;' and the appointment was accordingly made. The manner in which bishops are appointed in the English Church

[1] Ashwell's *Wilberforce*, vol. i. p. 218.

affords a curious commentary on High Church doctrine. In theory, the bishop is elected by the Dean and Chapter of the Cathedral. In practice, the Crown, in issuing its *congé d'élire*—as the letter allowing the election is called—directs the Chapter to elect a particular person. And, by an old statute of Henry VIII., the Chapter which disobeys the order of the Crown incurs the penalties of a præmunire. Men who had nothing themselves to lose were anxious that the Dean and Chapter of Hereford should incur imprisonment and penury, rather than assist in the creation of a bishop to whom they conscientiously objected. The atmosphere of the nineteenth century, however, is not favourable to martyrdom; and the Dean and Chapter of Hereford probably reflected that the very statute which desired them to elect the nominee of the Crown, enabled the Sovereign, in their default, to proceed with the appointment. The Dean, under these circumstances, satisfied himself with a mild protest, and the Chapter proceeded with the election. Orthodoxy had, however, still one chance left. The appointment of every bishop in the Province of Canterbury has to be confirmed in St. Mary's-le-Bow by the Archbishop. It is customary on these occasions for the apparitor of the Archbishop's Court to call upon any persons who oppose the appointment to come forward and be heard. On one occasion, in the seventeenth century, an objection had been thus raised, though it was overruled.[1] The same course was taken in 1847. The Court held that confirmation by the Archbishop was a purely ministerial act, and proceeded to pronounce and publish confirmation of the appointment.

But orthodoxy was not yet satisfied. It applied to the Court of Queen's Bench for a rule to show cause why a mandamus should not issue compelling the Archbishop or his Vicar-General to oppose the appointment. The

[1] *Hansard*, vol. xcv. p. 1340.

CHAP. XXI. 1834–1849.

Court was occupied for four days in listening to arguments on the question. The judges of which it was composed differed ultimately in their opinions; and the Court, being equally divided, the mandamus was necessarily refused.[1]

It is a sign both of the action and of the reaction which had thus occurred that the first great victory which the Oxford school achieved was obtained over Hampden, and that the first great defeat which it sustained was inflicted by Hampden. But the defeat was of much more consequence than the victory. It struck a fresh blow at the claims of authority. It was obvious that bishops were in no wise made by the Church, and that the authority of the Church was subordinate to the authority of the State. It so happened that this view of the matter was emphasised by some other proceedings about the same time. Mr. Gorham, a clergyman, was appointed by the Chancellor to a living in Devonshire. Phillpotts, with characteristic intemperance, subjected him to a long and tedious examination, and declined to institute him on the ground that he held heretical views on the subject of baptismal regeneration. The early Christian Church held that baptism, whether administered by laymen, or by women, or even irreverently in sport by boys, was valid. But it held, and some high churchmen still hold, that no child who died unbaptized could be saved.[2]

The Gorham judgment.

[1] Of the four judges Patteson and Coleridge were in favour of the application, Denman and Erle were opposed to it. For the whole story see, *inter alia*, Greville's *Memoirs*, pt. ii. vol. iii. p. 115 *seq.*, Arnould's *Denman*, vol. ii. pp. 234–243, Ashwell's *Wilberforce*, vol. i. p. 419, *Hansard*, vol. xcv. pp. 1337, 1355, vol. xcvi. p. 632. Wilberforce's conduct comes out very badly in Ashwell's pages. He promoted the case in the Court of Arches ministerially, and he withdrew it judicially. He pursued Hampden in 1836 'with the utmost vehemence,' he 'became the life and soul of the opposition' to him in 1847, and he admitted afterwards that he had never read the Bampton Lectures, and that when he did read them he found nothing in them not susceptible of an innocent interpretation. See Dean Stanley in *Edinburgh Review*, No. 314, pp. 326, 327.

[2] On the orthodox view of baptism, see *Life of Hook*, p. 187, and cf. Stanley's *Christian Institutions*, ch. i.

This doctrine, however, had never been implicitly accepted in the English Church; and divines of reputation had shrunk from concluding that innocent children of Christian parents, as well as the great moral teachers of the ancient world, were doomed to eternal misery because, from no fault of their own, they had not received the benefit of the sacrament. The decision of Phillpotts, however, was upheld by the Court of Arches, but an appeal was carried from this Court to the Privy Council. There the decision was reversed by a great majority of the judges, and the two Archbishops, Sumner and Musgrave, voted for the reversal. In so acting, the Privy Council was supported by public opinion. Many clergymen, indeed, held the same views as Gorham. Many laymen objected to the attempt of a bishop to inquire into a clergyman's views before proceeding to his institution; and men of sense of all parties saw that the decision had broadened the foundation on which the Church was built. These facts were so clear that, if the Privy Council had contented itself with reversing the judgment of the Court of Arches, most parties in the Church would probably have acquiesced in silence in its decision. But, in addition to doing so, the two Primates, who were members of the Court, took occasion to declare that the opinions held by Gorham were opinions which had been held in the past by a host of great and good churchmen. This opinion, promulgated by the Archbishops and endorsed by a Court composed chiefly of laymen, struck a fatal blow at the Tractarian party, and at the larger body of high churchmen who, unprepared to accept the whole of Mr. Newman's teaching, sympathised with his desire to assert the authority of the Church. The Privy Council was officially declaring that the right of determining doctrines resided in the State and not in the Church; and that, whatever might be the High Church theory, the Church had

CHAP. XXI. 1834–1849.

no authority other than that which the State allowed to it.[1]

Singularly enough, therefore, while the Gorham judgment encouraged the Evangelical, or Low Church party, by sanctioning an opinion which many of them had tacitly held, and had not ventured openly to pronounce, and the Latitudinarian, or Broad Church party, by widening the area of legal doctrine, it forced the High Church party into renewed activity by the force of a blow aimed at the citadel of its position. And, before six months were over, the Prime Minister, alarmed at the Pope's action in dividing England into Roman Catholic sees, gave the High Church fresh cause for resentment by a phrase in the Durham letter.[2] He went out of his way to declare that the danger to the Church of England from the conduct of her own 'unworthy sons,' in 'leading their flocks step by step to the very verge of the precipice of Rome, was much greater than any danger to be apprehended from a foreign prince of no great power.'

The Durham letter.

It is never wise for statesmen in high positions to apply names to those from whom they differ; and it was in the highest degree unwise for a Prime Minister to call a great party of religious men who—whether right or wrong in their opinions—were bringing zeal and earnestness to their work, unworthy sons of the Church. It was inevitable that such language should either drive them from the fold or impel them to new efforts for increasing Church authority. It was attended with both consequences. The Gorham judgment and the Durham letter were followed by fresh conversions to Rome, and by a fresh agitation for authority. Blomfield, Bishop of London, had already introduced a measure for transfer-

[1] *Life of Wilberforce*, vol. ii. p. 38. For the case see also *Recollections and Suggestions*, Appendix I., Stoughton's *Religion of England*, 1800–1850, vol. ii. p. 176, and Greville's *Memoirs*, pt. ii. vol. ii. pp. 300–304.

[2] For the Durham letter *vide infra* vol. v. ch. xxiii.

ring the appellate functions of the Privy Council to the Upper House of Convocation. The defeat of this bill induced the leaders of the High Church party to agitate for the restoration to Convocation of its previous powers. Two prelates, Oxford and Exeter, took the lead in the new movement, and in 1853, in the ministry of Aberdeen, Convocation was at last suffered to resume its place in the State as a consultative body.[1]

Convocation.

The history of Convocation since 1853 has proved in a striking way the difference between an assembly created to do something, and an assembly with something to do. It may safely be asserted that the deliberations of the Right Reverend and Reverend Houses have, in no single particular, affected the history of their country or of their Church. But, though the outward and visible result of the High Church movement has not fulfilled the expectations of the ambitious prelate who recalled Convocation to life, its effects are still visible, and are perhaps still extending. It has galvanised the religious world into vitality, and the stimulus which it has given to religion has been felt by bodies widely dissenting from the Tractarians. High churchmen and

General effects of the Oxford movement.

[1] It hardly falls within the scope of this work to trace the history of Convocation. It is sufficient to say that the Convocation of Canterbury was the assembly in which originally 'subsidies were granted' by the Church 'and ecclesiastical canons enacted.' The power to enact fresh canons without the king's licence was expressly taken away by a statute of Henry VIII., and the taxation of clergy by the clergy was discontinued after 1664. From that date Convocation had practically nothing to do. After the Revolution, indeed, the High Church party endeavoured to revive it, but the attempt only led to differences between the Upper and the Lower House, and Convocation was finally prorogued in 1717. Thenceforward a few members of each House met at the commencement of each new Parliament, voted addresses to the Crown, and were immediately prorogued. So matters continued till 1853, when, in consequence of the agitation of the High Church party, Convocation was again allowed to assemble. There is a good account of the history of Convocation in Hallam's *Constitutional History*, vol. iii. p. 242 *sq.*; cf. Sir Travers Twiss' article on it, *sub verb.* in *Encyclopædia Britannica*, 9th edition, Buckle's *History of Civilisation*, vol. i. p. 414, and *Life of Wilberforce*, vol. ii. pp. 136, 268. It ought, perhaps, to be added that a motion for summoning Convocation was made in the House of Commons so early as 1837, and only rejected in a thin House by 24 votes to 19. *Hansard*, vol. xxxviii. p. 461.

CHAP. XXI. 1834-1849.

low churchmen, Nonconformists and Roman Catholics, have all made an effort, such as was never made before in England, to infuse religious activity into the nation; and, in an age in which a large and increasing section of society is emancipating itself from the old lessons of its childhood, and perhaps in many instances ceasing to hold any belief, other persons are actively promoting church work, impressed with a firm faith in the truth of the great doctrines which they share in common one with the other, and with a still firmer faith in the truth of the little dogmas which each sect of these earnest people holds alone.

Nor must it be forgotten that to the High Church movement we owe the increasing warmth and colour of public worship, the restoration of gothic architecture,[1] an increasing attention to church music, and the more cheerful associations with which Sunday is being gradually surrounded. The Evangelical school, inheriting the tradition of the older Puritans, had regarded the Sabbath as a day of abstention from work and movement. The High Church party had always considered it as an opportunity for healthy recreation. The history of the Sabbath, however, so curiously illustrates the history of thought, that it is worth while adding to a chapter, already too long, a few more paragraphs on the subject.

The observance of Sunday.

It was a remark of Whately in 1836 that the very mention of a Sabbath was a startling novelty a little more than 200 years ago.[2] Hallam relates that in 1621, 'a bill having been brought in for the better observance of the Sabbath, usually called Sunday, one Mr. Shepherd, sneering at the Puritans, remarked that as Saturday was dies Sabbati, this might be entitled a bill for the better observance of Saturday, commonly called Sunday.' The witticism cost Shepherd his seat; he was

[1] Mr. Lecky has noticed this in a note to one of the most beautiful and striking passages in the *History of Rationalism*, vol. i. p. 256, note.

[2] *Life of Whately*, vol. i. p. 337.

expelled the House. But the Lords, less Puritan than the Commons, struck out the word Sabbath, and substituted the words 'the Lord's day,' and the Act thus amended may still be read on the Statute Book.[1] Such legislation was new in modern England.[2] The Reformers had required the clergy to teach the people that they would grievously offend God if they abstained from working on Sundays in harvest time;[3] and a statute of Edward VI., regulating the keeping of holy days, declared that 'it shall be lawful to every husbandman, labourer, fisherman, and to all and every other person or persons, of what estate, degree, or condition he or they be, upon the holy days aforesaid, in harvest or at any other time in the year when necessity shall require, to labour, ride, fish, or work any kind of work at their free wills and pleasure; anything in this Act to the contrary in anywise notwithstanding.'[4]

It is clear, therefore, that the observance of the Lord's day, or of the Sabbath as it came to be called, arose with the growth of puritanism in the seventeenth century, and it may be interesting to add that the Puritans carried their opinions about the Sabbath to America, and that strict laws were passed in the new world for regulating conduct on that day.[5] The puritanic view of Sunday survived the Restoration. An Act of 1676 made it illegal to trade, to work, to travel on the Sunday; it closed the courts on that day.[6] So far as the Legislature could make it, the Sabbath was made a day of rest.

[1] 1 Car. I., c. 1. Hallam is, I think, inaccurate (*Constitutional History*, vol. i. p. 400) in placing the incident in 1621. The Act is one of 1625.

[2] It was, however, adopted in Anglo-Saxon times. See Paterson's *Liberty of the Press and Public Worship*, p. 354.

[3] Stanley's *Arnold*, vol. ii. p. 205.

[4] 5 & 6 Edw. VI., c. 3, sec. 6.

[5] See De Tocqueville's *Democracy in America*, vol. ii. Appendix E.

[6] 29 Car. II., c. 7. The Act did not make it illegal to travel; but it said that, if anyone travelling on the Sunday were robbed, the Hundred should not be responsible, and the person robbed should be barred from bringing any action.

CHAP. XXI. 1834–1849.

Neither the High Church reaction which occurred in the reign of Anne, nor the growth of Deism and doubt in the eighteenth century, were favourable to the puritanical conception of the Sabbath. The holy day resumed its old sense of holiday; and, if men abstained from toil, they devoted Sunday to amusement. The upper classes set the example. They used their carriages and horses as a matter of course on the Sunday. Cabinet dinners were usually given,[1] Cabinet Councils were frequently held on the Sunday; and the evening of the first day of the week was the favourite date for fashionable entertainments. The custom of giving Cabinet dinners on Sunday fell into gradual disuse,[2] but the custom of holding Cabinets on Sunday remained in full force. It may, however, be worth while to place the circumstance beyond dispute, and, for the purpose of doing so, it may be convenient to show how many Cabinets in a particular period were held on Sundays. There was a Cabinet on the 9th, 16th, and 30th of March, on the 13th of April, and on the 11th and 18th of May, 1828. On six out of eleven consecutive Sundays, Cabinet Councils were held.[3]

[1] Even in Scotland, the High Commissioner always gave his breakfast and dinner to the General Assembly on Sunday. This custom fell into disuse in 1832, when Chalmers was Moderator, and declined to attend Lord Belhaven's entertainment. *Life of Chalmers*, vol. iii. p. 340.

[2] So lately as 1847, Escott said in Parliament the Parks were crowded with carriages every Sunday, *Hansard*, vol. xci. p. 842. Warburton said in 1835 that, thirty or forty years before, Sunday was the favourite day for parties of gaiety, *ibid.*, vol. xxvii. p. 234. Roebuck, on one of the many proposals made at that time to stop Sunday travelling, said that on a recent Sunday at noon he saw Wellington on horseback in Piccadilly; in Hyde Park, poor men were engaged watering the ride; at Knightsbridge the soldiers were exercising; at Hammersmith the Chief Justice was out riding with a servant behind him; and at 3 P.M. he met Peel in the galleries at Hampton Court. *Ibid.*, vol. xxviii. p. 154. A petition was presented to the Lords in 1834, objecting to the custom of holding Cabinet dinners on Sunday. *Ibid.*, vol. xxiii. p. 472.

[3] Authority for these statements will be found under the dates in Ellenborough's *Diary*, but almost the same thing could be said of any other eleven weeks during which Parliament was sitting comprised in the diary. Ten years later the custom was abandoned, and Campbell, summoned to a Sunday Cabinet in 1847, noted in his diary that no Sunday Cabinet had been held for ten years. *Autobiography*, vol. ii. p. 227.

But though the upper classes were devoting their Sundays to pleasure, and ministers were occupying them with business, large classes of the people, affected by the religious movement which Wesley had originated, were practising a stricter observance of the Sabbath. In 1809 Wilberforce himself remonstrated with the Minister for fixing the commencement of the session on Monday, on the express ground that the members would be tempted to break the Sabbath.[1] The remonstrance was successful; the meeting of Parliament was put off. This circumstance may possibly be accepted as an indication of the spread of stricter views respecting Sunday; and the very spread of these views produced a reaction against them. People who differed from Wilberforce had no patience with his opinions. One of them wrote—

> The Saints!—the aping fanatics that talk
> All cant and rant, and rhapsodies high-flown—
> That bid you baulk
> A Sunday walk,
> And shun God's work as you should shun your own.

Such lines afford strong proof both of the reality of the Sabbatical movement, and of the bitterness which it provoked.[2]

[1] Wilberforce's *Diary*, vol. iii. pp. 397, 398.

[2] It may be worth while adding that the 'seven days week is a common heritage of the Asiatic and African peoples. . . . It is found among the American tribes . . . And in Africa with the Ashantees and the Gallas.' The Egyptians had a decade or ten days week. 'Still the seven days week was so well known to the Egyptians that Dion Cassius notes the naming of the week after the seven planets as an Egyptian custom.' Colenso on the *Pentateuch*, part iv. p. 115. The seven planets known to the ancients were Saturn, Jupiter, Mars, the Sun, Venus, Mercury, and the Moon (*ibid.*, p. 119), and cf. Rawlinson's *Herodotus*, bk. ii. ch. lxxxii. *note*, Appendix, bk. ii. ch. vii. The Jewish idea of the Sabbath survived to the time of the Maccabees, for when Mattathias, the father of Judas Maccabæus, fled from the persecution of Antiochus with a large following into the wilderness, his followers were attacked by the king's orders on the Sabbath. The followers, taking the strict view of the Sabbath, declined to fight, and were massacred, men, women, and children, on the spot (1 Maccabees, ii. 38); and cf. another account of a Sabbath massacre of Jews in the less accurate 2 Maccabees, v. 24, by that 'detestable ringleader' (as the author calls him) Apollonius. The Jews had the good sense, after these

CHAP. XXI. 1834–1849.

In truth, there was some reason for sober Christians disliking the Sabbatical legislation which the Puritans were favouring. In 1794 Parliament, objecting to the liberal interpretation which the Courts were placing on the statute of Charles II., passed an Act prohibiting the baking of bread, meat, and pies on Sundays, except between the hours of nine in the morning and one in the afternoon. The Act was slightly modified in 1821 and 1836;[1] but the principle remained and remains on the Statute Book, and a large party in Parliament was anxious to proceed much further. Three bills were introduced in 1834 to promote the better observance of the Sabbath. A clause to allow games to be played in the open air during other hours than those appointed for divine service was only carried by a small majority. Bills of the same character were introduced in 1835, 1836, and 1837. The numerous measures of the period authorising the construction of railways gave the 'Sabbatarians,' if the term may be used without offence either to etymology or feeling, opportunities of raising the same question. The House of Commons was frequently occupied with discussing the question whether trains should run on Sunday, and whether third-class carriages should be attached to those trains? And though general convenience ultimately prevailed over religious sentiment, and though it was concluded that, if trains were to run at all, there was no good

Sunday travelling.

two reverses, to see that the old view of the Sabbath doomed them to destruction. 'Therefore they decreed, saying, Whosoever shall come to make battle with us on the Sabbath day, we will fight against him; neither will we die all as our brethren that were murdered in the secret places,' (1 Maccabees, ii. 41), and cf. Josephus, *Ant. Jud.* xii. 6. 2. Probably this sensible law influenced the early Christian Church, in which rest from agricultural labour on Sunday was not even recommended until the sixth century. It has been shown also that the same view influenced England in Tudor times. But, alas! the English Church declared that the books of Maccabees, which the Council of Trent pronounced canonical, were apocryphal, and the Bible Society has ceased to print them.

[1] For the Act of 1794, see 34 George III., c. 61; for the amendment to it, 1 and 2 George IV., c. 50, sec. 11; 6 and 7 William IV., c. 37, sec. 14.

ground for preventing poor persons travelling by them, we owe to these discussions the fact that, while in no country in the world is Sunday travelling more general than in England, in no country is Sunday travelling made more inconvenient.[1]

Sunday letters.

But the chief struggle for Sunday observance was fought on other questions. Strict Sabbatarians, on the one hand, were anxious that the Post Office should decline to transact any business on the Sunday, while other men, more lax and more liberal, desired, on the contrary, to throw open museums and libraries on Sundays. The Sabbatarians achieved a victory. They actually succeeded in persuading the Postmaster-General to issue an order prohibiting the delivery of letters on Sundays anywhere. But the isolation to which this order condemned rural districts was so complete that it was hardly allowed to remain in force for a couple of months. Measures, however, of this character may be traced long after they are reversed. The wealthiest and greatest city in the world still consents, on the first day of every week, to be almost completely deprived of

[1] In case any readers of this book should care to pursue this subject, it may facilitate their investigations if I add one or two references to some of the principal debates on the subject. In 1834 three bills were introduced into the House of Commons dealing with the Sunday question; one by Sir A. Agnew, rejected by 161 votes to 125 (*Hansard*, vol. xxiii. p. 356); one by Hesketh Fleetwood, rejected by 77 votes to 45 (*ibid.*, p. 1177); and one by Poulter, which was carried by 52 votes to 12. *Ibid.*, p. 1179. It was on this bill that the clause was engrafted authorising outdoor games. The clause was carried by 37 votes to 31. *Ibid.*, vol. xxv. p. 194. This bill was reintroduced in 1835, and thrown out by 54 votes to 43. *Ibid.*, vol. xxviii. p. 508. In 1836, on a bill of Agnew's, Roebuck threatened to propose an amendment rendering anyone attending a club on Sunday liable to a fine of 10*l.*, closing Hyde Park and the Zoological Gardens on Sundays, and imposing a penalty of 100*l.* on any clergyman and 200*l.* on any bishop driving to church. *Ibid.*, vol. xxxiii. p. 18. Opposition of this kind seems to have had effect, for the bill was thrown out by 75 votes to 43. *Ibid.*, p. 1078. For the bill of 1837 see *ibid.*, vol. xxxviii. pp. 541, 1227. Mr. Gladstone, in 1844, opposed a clause which it was proposed to engraft on a railway bill compelling all railway companies to run one third class train on Sunday, and was beaten by 73 votes to 41. *Ibid.*, vol. lxxvi. p. 1190. The Bishop of London tried to restore the bill to its original shape, but the matter was ultimately compromised. *Ibid.*, pp. 1674, 1720.

CHAP. XXI. 1834–1849.

the means of communicating with the remainder of the kingdom.[1]

Though the Sabbatarians were unable to carry all their measures, they proved strong enough to resist with success other contrary proposals. In 1840 Hume moved an address to the Crown for opening the British Museum and the National Gallery on Sundays; and his proposal was defeated.[2] Sabbatical ideas ensured its rejection. The Sabbatarians have never taken the same interest in Lent which they feel in Sunday. Perhaps for this reason they did not care to enforce the strict rules which were applied to theatrical performances in Lent. From time immemorial no theatrical performance had been allowed at the Westminster theatres on Wednesdays or Fridays during that season. But in 1839 Duncombe carried a motion against the Government, condemning the restrictions.[3] The ministry declined to abandon the old rule, and endeavoured to satisfy the public by sanctioning the performance of oratorios. But Duncombe was not satisfied; he declared the resolution of the Government to be an attempt[4] to defeat the manifest object of the House of Commons. Before another Lent came the Lord Chamberlain gave way, and authorised the performance of plays except in Passion Week and on Ash Wednesday. But even this concession brought fresh defeat on the Government. Duncombe immediately proposed that lectures on astronomy should be allowed during Passion Week, and beat the Government by a large majority.[5]

Theatres in Lent.

Circumstances of this kind, which seem trivial and beneath notice, are in reality the signs and tokens by which the progress of human thought may be most

[1] The Post Office order which took effect on the 23rd June, 1850, will be found in *Ann. Reg.* 1850, Chron. 84. The order reversing it, in *ibid.* Cf. *Hansard*, vol. cxi. p. 484.

[2] By 82 votes to 44. *Hansard*, vol. lv. p. 730.

[3] The motion was carried by 92 votes to 72. *Hansard*, vol. xlv. p. 1043.

[4] *Ibid*, vol. xlvi. p. 229.

[5] *Ibid.*, vol. liii. p. 839.

easily traced. Three different movements were evidently in progress. One party, jealous of State interference and alarmed at the growth of scepticism, was endeavouring to found religion on authority, and unconsciously setting a current in motion which ever flowed towards Rome. Another party, angry at the Romanising tendencies of Tractarianism, was renewing the old puritanic modes of thought. A third party was endeavouring to reconcile faith with doubt, to found the Church on a broader basis, and to include in it men of various views, by enlarging its doctrines, and limiting their application.

Scotland.

It has been attempted to show that these various movements may be traced to a variety of causes long antecedent to the nineteenth century. But, if any doubt still exist that the Oxford movement had its origin in the sixteenth and seventeenth centuries, it will possibly be removed if the student will compare the history of the ten years' conflict in Scotland with the history of the Tractarian reaction in England.

The resemblances between the ten years' conflict and the Tractarian movement.

In one sense, indeed, it seems absurd to suppose that the English high churchman, whose whole aim was to identify the Church of modern England with primitive Christianity, could have any resemblance to the Scotch Presbyterian, who hated Rome, who hated episcopacy, who declined even to receive the sacrament on his knees, and who would have preferred death to admitting the doctrine for which Mr. Newman was contending. Those people who fix their gaze on the trappings of religion will never accept the position which it is proposed to establish. But those who can regard the outward form and expressions of public worship as the 'leather or prunello,' and can look for the thing itself beneath its clothes, will probably have little difficulty in concluding that the Tractarian movement in England and the disruption controversy in

CHAP. XXI. 1833–1843.

Scotland were attributable to the same causes, were marked by the same characteristics, and were only followed by different consequences because of a radical distinction between the character of the two peoples.

What was the double cause of English Tractarianism? The growth of doubt in the nation, and the interference of Parliament in Church matters. What was the remedy which the Tractarian suggested? The restoration of authority to the Church; an authority, which on the one hand should place faith above doubt, and which, on the other hand, should sever the Church from State control. In Scotland the Church had always occupied a different position from that of the English Church. The Reformation in England had been the work of the Crown; and the Tudor monarch, in effecting it, had maintained all the old machinery of Rome. In Scotland, on the contrary, the Reformation had been forced on the Crown against its will by the people; and the men who had taken a leading part in the business had swept away all the arrangements of the Church of Rome. Thus in England the Church took an aristocratic shape. The King was its supreme head; the bishops were its aristocracy; and the common clergymen were mere servants, dependent for their living on the patronage which was studiously reserved in the hands of their rulers; in Scotland the Church took a democratic form; its ministers were all regarded as equal; and patronage, if it existed at all, was exercised subject to the right of the people to reverse the fiat of the patron.[1]

The history of the Reformation in Scotland.

But there was a still broader distinction between the two Churches. In England the Reformed Church was content to receive its doctrines from its Sovereign; and, though Convocation was consulted occasionally on articles or ritual, or even, as in 1661, on the revision of

[1] Buckle's *History of Civilisation*, vol. iii. p. 90.

the Prayer Book, it never assembled except on the licence of the Crown, and its proceedings had no effect until they were ratified either by the Crown or by Parliament. A statute of Henry VIII. distinctly enacted that no canons should thereafter be promulgated or enforced by Convocation unless the king's writ had been first issued to hold the Convocation, and also his licence to make and enforce the particular canons; and Coke declared that this statute only affirmed the previous law. Even this carefully limited authority was only effectively employed on one occasion, in 1603; and since the Act of Uniformity no power except Parliament has been able even to alter the canons affecting the clergy alone.[1]

The claim of the Scotch Church.

But it was quite otherwise with the Scotch Church. The Church of Scotland, from the period of the Reformation, claimed to possess inherently the right and power of self-government; and to be not only entitled but bound to interpret Scripture for herself.[2] And this was no mere idle claim; it was steadily acted on in Scotland. In 1560 the Reformers drew up the Confession; at the end of the same year the first General Assembly of the Scotch Church drew up the First Book of Discipline; in 1578 it drew up the Second Book of Discipline; in 1647 it accepted the Westminster Confession of Faith.[3] It is true that the Royal Council refused to confirm the First Book of Discipline, and that the Scotch Parliament adopted the Confession of 1560 and the Westminster Confession. But the reluctance of the Royal Council to confirm the Book of Discipline did not interfere with its validity; and the action of Parliament, in adopting the Confessions, was supposed in no way to affect the claim of the Church.

[1] 25 Henry VIII., c. 19, 13 and 14 Car. II., c. 4; Hallam's *Const. Hist.*, vol. iii. pp. 242–247; Paterson's *Liberty of the Press, &c.*, p. 384.

[2] See the *Ten Years' Conflict*, by Buchanan, pp. 1, 8, 10, 11, 104. The edition quoted is that of 1852.

[3] *Ibid.*, pp. 45, 65, 103.

CHAP. XXI. 1833–1843.

It was, and is, the curious conclusion of the Church, that, while the State had no right to bind the Church, the Church had equally no right to bind the State. The adoption of a Confession by the Church only affected the Church. The State was supposed, by confirming it, to pledge the nation to the action which the Church had already approved.

No one, with even a moderate acquaintance with Church history, can doubt that the position which the Church of Scotland thus asserted closely corresponded with the objects for which the Tractarians were striving. The Scotch Church had acquired the independence and authority which Mr. Newman desired for the Church of England; and hence, in 1834, when Chalmers, the most eloquent of Scottish ministers, the man of whom Carlyle said, 'I suppose there will never again be such a preacher in any Christian Church,'[1] came to London to lecture on Church Establishments, he found bishops, peers, and commoners ready to approve his opinions as well as to applaud his eloquence; the High Church party saw and felt that the most vigorous exponent of Church authority was the great Presbyterian preacher of Scotland.

If, then, the High Church party had understood its business in the seventeenth century, it would have strenuously supported the position of the Scotch Church. But the High Church party, in the seventeenth century, was thinking not of essentials but of trappings. The Stuart kings were opposed to the notion of an authoritative Church organised on a democratic basis; the great Scottish nobles had a pecuniary interest in resisting the destruction of episcopacy and patronage; and hence, throughout that century, while the masses of the Scottish nation were contend-

Episcopacy in Scotland.

[1] Carlyle's *Reminiscences*, vol. i. p. 160. After Chalmers' death Carlyle wrote, 'I believe there is not in all Scotland, or all Europe, any such Christian priest left.' Carlyle's *Life in London*, vol. i. p. 408.

ing for equality and authority, Crown and nobles were busily endeavouring to restore bishops and patronage.

The struggle was very sharp. Bishops were recognised in the First Book of Discipline, but abolished after the General Assembly of 1578.[1] In 1584 the Scottish Parliament passed some Acts—known in history as the Black Acts—re-establishing the supremacy of the Crown and restoring Prelacy.[2] The triumph of the Crown was, however, only short-lived. The attempt on British liberty by Spain, which culminated in the Armada, produced a strong reaction against Rome, and Prelacy which was supposed to be associated with Rome. In 1592 the Black Acts were repealed, and Prelacy was again abolished.[3] The Acts of 1592 did not, however, settle the question. In the first decade of the seventeenth century James, strengthened by his accession to the throne of England, succeeded in restoring bishops to the Church. But, in 1638, the first great blow at the monarchy was struck by the fresh abolition of the episcopacy.[4] It was the object of the Westminster Confession of Faith, which was adopted by the Scottish Parliament in 1649, to unite the English and Scotch Churches, and to banish bishops from both of them. But, in the language of a Scotch historian, the Restoration again forced on a reclaiming and resolute people a Prelatic and Erastian Church government;[5] and it required the Revolution to restore the Westminster Confession and 'the great Constitutional Charter of 1592.'[6] Since that time, whatever else has been doubtful, there has been

[1] Buckle, *History of Civilisation*, vol. iii. pp. 96, 99; Buchanan's *Ten Years' Conflict*, vol. i. p. 65. In the revived episcopacy, the revenues of the see were usually handed over to some noble, and the bishop was appointed to collect the revenue and hand them over to the favourite. The Tulchan Bishop, as he was called in Scotland, was little better than a land agent.

[2] Buchanan's *Ten Years' Conflict*, vol. i. p. 82.

[3] *Ibid.*, p. 86.

[4] *Ibid.*, p. 102.

[5] *Ibid.*, p. 107.

[6] *Ibid.*, p. 111. But cf. in reference to the whole paragraph, Buckle's *History of Civilisation*, vol. iii. pp. 115–150.

CHAP. XXI.

1833–1843.

no doubt that the Scotch Church has been founded on a Presbyterian basis.

Patronage in Scotland.

But Prelacy was not the only object for which the Crown was contending. It was simultaneously endeavouring to restore patronage; and this struggle endured long after the episcopacy had been abolished. It had its origin in the Act of 1567. This statute affirmed the principle that the examination and admission of ministers lay with the Kirk. But it reserved the rights of lay or, as they were called in Scotland, laic patrons, and gave the patron an appeal first to the superintendent and ministers of the province, and afterwards to the General Assembly of the whole realm.[1] This provision recognised to a large extent the rights of patrons. The succeeding years, however, increased the democratic influences at work in the Scotch Church, and the Second Book of Discipline in 1578 declared that no persons were to 'be intruded in any of the offices of the Church contrary to the will of the congregation to which they are appointed, or without the voice of the eldership.'[2] The Act of 1592 to a certain extent modified this arrangement. Intrusion was again forbidden, but in the event of the eldership, or presbytery, 'refusing to induct a qualified minister, the patron was allowed to retain the fruits of the benefice in his own hands.'[3]

In England a settlement of this character would have been regarded as a victory for the Crown. The living in England meant its emoluments, and neither the Vicar of Bray nor any of the non-resident clergymen who lived in the succeeding centuries, would have cared much about the duties of the benefice if they had enjoyed its revenues. But, in Scotland, church feeling was so strong that the arrangement was regarded as

[1] *Ten Years' Conflict*, vol. i. pp. 56, 57, 58.

[2] *Ibid.*, vol. i. p. 69.

[3] *Ibid.*, p. 95.

favourable for the Church. There the living was regarded as a cure of souls; and the Scotch Church cared little for the emoluments of the parish if a minister could not be forced upon it against the will of the congregation and the people.

The Stuarts, therefore, were not satisfied with the settlement. Impregnated with what the Scotch called 'Erastian' views of Church government, they deliberately set themselves to modify the Act of 1592. Perhaps nothing more clearly illustrates the radical difference between Church views in Scotland and England than the circumstance that the word 'Erastian,' which in England is probably only intelligible to educated people, in Scotland conveys a clear meaning to almost all classes. In England, indeed, as in Scotland, high churchmen are accustomed to condemn Erastianism, as they are accustomed to condemn Arianism and Nestorianism. But the masses of the English nation, if they were acquainted with the whole condition of the question, would certainly declare that Erastus was right as against Beza, just as they would conclude that Arius was right as against Athanasius, and Nestorius was right as against Cyril. It is only the universal ignorance of the people on the nature of these struggles which induces them to regard Arianism, Nestorianism, and Erastianism as terms of reproach. It was no ignorance, however, which made Erastianism a term of reproach in Scotland. There Erastianism was accurately employed as the attempt of the Crown to establish its authority over the Church; and the Scotch, arrayed almost to a man in a determination to resist the interference of the State, rightly declared that the Stuarts were using the weapons of Erastus. James, like Erastus, achieved some success. In 1612 the Ordinary was authorised to admit the presbyter to a living against the will of the congregation. In 1638, however, the power of the Ordinary fell

CHAP. XXI. 1833–1843.

with the abolition of episcopacy, and though in 1662 the Rescissory Act again restored Prelacy and patronage, in 1690 the nomination of the minister was entrusted to the elders, subject to the approval or disapproval of the congregation.[1]

Persecution in Scotland.

A controversy so earnest and so protracted would in any case have left its mark on the character of a nation. But the effects were much more marked because either party to the struggle celebrated its victory with excess. The Presbyterian victory in 1649 made life almost intolerable. The Presbyterians spread over the country a universal gloom. 'It mattered not what a man liked; the mere fact of his liking it made it sinful. Whatever was natural was wrong.'[2] But the Restoration, which might have been the blessed means of restoring cheerfulness to the household, only brought torture and death to the faithful. Never, even under the worst of the Tudors, had England suffered so bitter a religious persecution as was inflicted on Scotland by the later Stuarts. A people already morose was made sullen by cruelty. The grim Calvinistic doctrines gave them a solace and a hope. Heaven was for them alone; hell was for their tormentors; and even at the stake or at the block they could console themselves by reflecting that theirs was the better part.

Scepticism in Scotland.

Persecution in the seventeenth century had its usual effect of confirming the faith and hardening the hearts of those on whom it fell. The victory of the Revolution left the Church, purified and strengthened by fire, supreme. But the Church thus purified was subjected, in the following century, to a much more dangerous enemy than either the faggot or the thumbscrew. The wave of indifference and doubt which

[1] *Ten Years' Conflict*, vol. i. p. 113. The patrons received 35*l.* each as compensation; see *Macaulay*, vol. ii. p. 694. But Macaulay's account of the Scotch Church is not the most successful part of his History.

[2] Buckle, *History of Civilisation*, vol. iii. p. 269.

swept over England exerted its influence in Scotland. The Union, which opened the colonial trade to Scotland, gave the Scotch for the first time new pursuits and new interests. The suppression of the old Scotch Legislature placed the supreme authority in a Parliament which had no sympathy with the peculiar views which Scotchmen entertained of Church government, and the ripening of the Scottish intellect brought the foremost thinkers of Scotland into close communion with ideas which were shaking Churches in other parts of Europe to their foundations. The Scottish nation felt the influence of such great thinkers as Hutcheson, who asserted the right of private judgment, and Hume, who denied the miraculous; and, just as in England the divines preached morality and the people slumbered round the pulpits, so in Scotland 'empty and unmeaning essays on the beauties of virtue, cold and formal harangues which savoured as much of the school of Plato as of Christ, took the place of the strong uncompromising discourses with which the Scottish clergy of other generations had expounded the grand doctrines of Calvin to the faithful few.' [1]

The Act of 1712.

Such lethargy naturally gave the friends of patronage a fresh opportunity. In 1712 Parliament passed a short Act, restoring to patrons all the rights which had been taken from them by the Act of 1690.[2] It is a

[1] Macfarlane's *Late Secession*, p. 5.

[2] 10 Anne, c. 12. This famous Act, which 132 years afterwards produced the disruption of the Scottish Church, was one of three Tory measures passed in 1711, (1) to tolerate the Episcopal clergy, (2) to discontinue the sittings of the Courts of Judicature during the Christmas holidays. Smollett says 'the chagrin of the Scottish Presbyterians was completed by a third bill, restoring the right of patronage, which had been taken away when the discipline of the Kirk was last established.' *History of England*, vol. ii. p. 230. The Act of 1690 had directed that the patrons should receive a 'small and inconsiderable' sum of money as compensation for the loss of their patronage. But the heritors &c. to whom the patronage was transferred neglected to make these payments, and consequently Parliament gave back the patronage. Any claim which the patrons may have derived from this neglect (and on this claim it is as well to see the comments of a Secession churchman, Buchanan's

CHAP. XXI. 1833–1843.

striking proof of the growth of religious indifferentism in Scotland during the eighteenth century that an Act, which fifty years before would have provoked a civil war, only produced a succession of mild protests. In periods of indifference, patronage ceases to be desirable to the patron or offensive to the congregation. It was held, too, that the Act of Anne had only placed the patron in the position which he had occupied under the settlement of 1592. His patronage was restored, but his presentee could not be intruded on the congregation; and during the half-century covered by the reigns of the two first Georges, the General Assembly of the Scottish Church frequently held that a minister could not be intruded on a parish against the will of a congregation.[1]

Even in the seventeenth century, a minority of Scotchmen had been tainted with Erastianism. The religious atmosphere of the eighteenth century, of course, favoured its growth. A party rose in the Scotch Church which honestly desired to increase instead of diminishing the rights of patrons. The Moderates, as they were called in Scotland, increased in numbers and in influence, till at last, in the middle of the eighteenth century, they commanded a majority in the Assembly. The Moderates had the great advantage of finding a leader, eloquent, learned and courageous, in Robertson, the historian.[2] Determined to enforce his own convictions, he succeeded, in 1751, in intruding his brother-in-

Robertson.

Ten Years' Conflict, vol. i. p. 127), was as good at the time of the Union as it was in 1712. As Parliament, at the Union, had agreed to maintain the existing constitution of the Church, it was not right for it five years afterwards to modify it. Macaulay, speaking in 1845, put the matter with his usual clearness. 'You bound yourselves,' so he said, 'by the Union, to maintain inviolate the constitution of the Church, and five years afterwards you changed it in a point which the people of Scotland considered essential,' *Hansard*, vol. lxxxii. p. 237.

[1] Buchanan's *Ten Years' Conflict*, vol. i. pp. 133–139; and Hanna's *Life of Chalmers*, vol. iii. p. 344 *seq.*

[2] Brougham's *Men of Letters*, 'Robertson.'

law, Syme,[1] on a reluctant congregation at Alloa; in the following year he persuaded the Assembly to intrude a minister, Richardson, on a reluctant congregation at Inverkeithing. The Act of Anne had restored the rights of patrons, and Robertson had succeeded in making patronage a reality.

The Moderate party retained the power which they thus secured in the Assembly of the Church for the best part of eighty years. During the first half of that period, the universal indifference of the nation made reaction impossible. During the second half of it, a variety of circumstances made it almost certain. In Scotland, as in England, a panic dread of revolution was created by the scenes in France. In England, missionary effort, due to new zeal, assumed a new phase at the close of the eighteenth century, and in Scotland increased religious activity led to the formation of a new Missionary Society.[2]

An effort has been made in this chapter to trace the course of the Tractarian movement in the life of Mr. Newman, and to identify the Broad Church movement which succeeded it with the career of Hampden. If the same expedient were desirable in describing the great contest which tore the Church of Scotland into pieces, everyone would select Thomas Chalmers as the hero of the episode. In the early years of the nineteenth century, Chalmers, then pastor of a quiet parish, was devoting the best of his intellect to secular pursuits and

Thomas Chalmers.

[1] Syme is better known as the grandfather of Brougham. For the account in text, see *Ten Years' Conflict*, vol. i. pp. 156–161.

[2] Up to the outbreak of the French Revolution the Society for the Propagation of the Gospel was the only English Missionary Society. The Baptist Missionary Society was formed in 1792, the London Missionary Society in 1795, the Church Missionary Society in 1799 and the Wesleyan Missionary Society in 1813. The Scottish Missionary Society was formed in 1796. The Moderates in the Scotch Church opposed missionary spirit on the double ground that missionary effort, in advance of civilisation, was useless, and that Missionary Societies, like other associations, were politically dangerous. *Ten Years' Conflict*, vol. i. pp. 169, 171, and cf. *Life of Chalmers*, vol. iv. p. 89.

CHAP. XXI. 1833–1843.

scientific studies.[1] As the first decade of the century drew towards a close he was prostrated by affliction and illness, and rose from a bed of sickness to infuse new zeal and new vigour into his Church. The successful chemist was soon lost in the great preacher, and the fame of his earnest eloquence spread beyond the borders of his own neighbourhood. It was perhaps both a sign and a consequence of the change, that his first great effort, after he had secured a larger audience, was directed to reconcile science with revelation. The success which his attempt secured won for him years afterwards the distinction of a place among the authors of the 'Bridgewater Treatises.' But no mere desire to replace doubt by faith diverted Chalmers from the higher duties of a Christian pastor. No man ever lived who knew better that the work which a man finds to his hand to do is the first to be done. He wished to reform society, but the reformation was to be commenced in his own Glasgow parish.

For eight years Chalmers remained a zealous and successful minister in Glasgow. His removal in 1823 to the Chair of Moral Philosophy in St. Andrews, and his transfer in 1828 to the Chair of Theology in Edinburgh, gave him leisure for more catholic work.[2] In 1826, in a debate in the General Assembly, he took a part which was characteristic both of the times and of the man. The earnest party was anxious to check

[1] Next to his illness, Wilberforce's *Practical View* seems to have been the work which exerted the chief influence on Chalmers. Hanna's *Life of Chalmers*, vol. i. pp. 184–187. How great the change was may be inferred from a passage in one of his speeches. He had been twitted with an anonymous pamphlet, published twenty years before, in which he had defended the union of professorships with benefices. He at once avowed that he had been more devoted at the time to mathematics than to the literature of his profession, and he added, 'Strangely blinded that I was! What, sir, is the object of mathematical science? Magnitude and the proportions of magnitude. But then, sir, I had forgotten two magnitudes. I thought not of the littleness of time; I recklessly thought not of the greatness of eternity.' *Ibid.*, vol. iii. p. 78.

[2] *Life of Chalmers*, vol. iii. p. 208.

the growing practice of a minister holding simultaneously a benefice in the Church and a professorship in a University. The Moderate party, on the contrary, wished to retain a system which was convenient to many persons. The Moderates were led at that time by Hope, the President of the Court of Session, who, after defending pluralities, went on to deny the right of the General Assembly to deal with the subject. 'The Presbyterian religion and the Presbyterian form of government,' he argued, 'are in this country the creatures of statute. Both derive their existence and their doctrines, as well as their powers, from Parliament, and it is impossible that they could derive them from any other source.'[1] By nine Englishmen out of ten, such an argument would have been accepted as an axiom. To nine Scotchmen out of ten, it was rank Erastianism. The Evangelical party in the Scotch Church at once protested against views which they asserted to be both dangerous and extreme. But it is a remarkable circumstance that, though Chalmers was present on the occasion, and took part in the debate, and though he strongly argued against the retention of pluralities, he did not address himself to the position which Hope had maintained. Instead of doing so, he argued, in language which any Englishman might have used, that the existence of pluralities injured the power of the Church, and weakened her claim for the division of parishes and the multiplication of cures. On the eve of a memorable struggle, he was thus defining his own position, and, while placing himself in the ranks of the party which he was destined to lead, was carefully avoiding identifying himself with the extreme claims which other men were rashly making.

His views on pluralities.

And the struggle was very near. The same causes, which at the close of the reign of George IV. shook the

[1] Buchanan's *Ten Years' Conflict*, vol. i. p. 183.

CHAP. XXI.

1833–1843.

The effect of the Reform Act.

English Church, agitated the Scottish Assembly. The same apprehensions which churchmen in England entertained after the passage of the Reform Act were felt in Scotland. Reform, indeed, in Scotland created the more violent reaction because the Scottish people had previously been deluded with a representation even more imperfect than that of England: and the Scottish Church seemed more likely to fall beneath the tempest because it was weaker than the English Church. Under these circumstances, there is no room for surprise that the Evangelical party in the Church of Scotland, affected by the same influences, pursued the same policy as the Tractarian party in the Church of England. 'To withstand the liberalism of the day'—such Cardinal Newman himself tells us—was the object of the Oxford movement;[1] 'the defence and preservation of an Establishment' was the object in 1834 of the very men who ultimately seceded from the Scotch Church.[2]

While then the leaders of the Oxford party were declaiming against the Erastianism of statesmen who were limiting the number of Irish sees and rearranging the stipends of English bishops, the Evangelical party in the Church of Scotland was declaiming against the Erastianism of their fellow-communicants who were presuming to set the rights of patrons against those of the Church; and, while in England Mr. Newman and his fellow-labourers were striving to restore to the Church the authority of which the Reformation had deprived her, Scottish clergymen were anxious to reassert the authority which the Scotch Church had acquired at that time. In England, indeed, where the Church had never possessed the authority which Mr. Newman desired for her, the first effort of the Oxford school was directed to identify modern Anglican doctrine with pre-

[1] Newman's *Apologia*, p. 104.

[2] See the Report of the Select Committee of 1834 in Buchanan's *Ten Years' Conflict*, vol. i. p. 195.

Tridentine Christianity; while in Scotland, where the authority of the Church had been frequently acknowledged, the first effort of the Evangelical party was to increase the efficiency of the Church. But, from 1833 downwards, there was a constant parallel between the two movements. Authority, which was from the first the chief object in England, soon became the chief object in Scotland.

In 1832 the first indications of the coming contest were visible to those who chose to look for them. Petitions were presented from synod and presbytery asking the General Assembly to make the call to the ministry again effective. The call, in its original shape, was a paper signed by the heritors, elders, and others of the parish, inviting and calling a minister, of whose ministerial abilities, piety, and prudence they were assured, to undertake the office of their pastor. The form of the call was still observed. The patron invited the congregation to call his nominee. But the call had become a mere form. One or two signatures, 'perhaps not belonging to any member of the congregation, but to some non-resident landlord or factor on his estate,' were accepted over and over again as a sufficient call.[1] It was the object of the petitioners of 1832 to give efficacy to the form, and to insist that the call should in future emanate from the congregation.

The call.

The Assembly in 1832, however, had not yet shaken off the influences which had so long controlled its action. It rejected by a large majority a proposal to refer the petitions to a committee. But this decision only instigated the friends of the Church to a bolder policy. In 1833 the Assembly was assailed with an increased number of petitions. The Moderate party, still leaning to the side of the patron, wished to throw on the pres-

[1] Hanna's *Life of Chalmers*, vol. iii. p. 342. Buchanan's *Ten Years' Conflict*, vol. i. pp. 200, 205.

CHAP. XXI.

1833–1843.

bytery the right of sustaining objections made against the presentee. The Evangelical party, influenced by the advice of Chalmers, desired to give the majority of the male members of the congregation an absolute veto on the nomination.[1] Both parties thus avoided the extreme views of their followers. The Moderates admitted that the presbytery could set aside the nomination of the patron. Their opponents were prepared to exchange the call for the veto.

The veto.

In 1833 the Moderates were again successful. By a narrow majority their proposal was adopted, and the veto defeated. But the victory was so narrow that the success of the reform was plainly only deferred. Accordingly, in the General Assembly of 1834, the veto was adopted by a considerable majority. Clergy, presbytery, elders, and burgh elders, each of these, classed separately and collectively, proved to be in favour of the veto.[2]

The Veto law of 1834 was only one of the signs which the Church of Scotland gave in that year of its growing activity. It concurrently determined to raise chapels of ease to the status of parish churches, and to place the ministers of both on an equal footing;[3] and this decision was more important because Parliament was at the same time persuaded, on the advice of a Scotch member, Colquhoun, to declare that, where a new church or chapel was built in Scotland out of funds voluntarily subscribed, neither the patron of the parish in which it was built, nor any other person, should have the right of patronage.[4] A fresh incentive was thereby afforded to church extension. In 1835 sixty-four new churches were either built, or being built, in Scotland. 'Sixty-four new churches,' wrote the historian of the movement; 'their congregations destined to choose their

The Chapel Act.

[1] Hanna's *Chalmers*, vol. iii. p. 353.
[2] *Ten Years' Conflict*, vol. i. p. 261. Macfarlane's *Late Secession*, ch. iii.
[3] *Ten Years' Conflict*, p. 296.
[4] *Ibid.*, p. 306, 4 and 5 William IV., c. 41.

ministers by their own free voice, and these ministers, all of them, by the Chapel Act, entitled to take their places in the Courts of the Church.' In the four years which succeeded the passage of the Veto law, 'no fewer than 187 additional churches were built, or in progress, a number exactly three times greater than had come into existence' during the preceding hundred years.[1] More than 200,000*l.* had been voluntarily raised for their erection.[2]

It is remarkable that the Church addressed the State to assist it to endow the new churches. It saw no harm, its great leader certainly saw much good, in applying to Erastian sources for the necessary funds.[3] Numerous petitions were presented from all parts of Scotland for State aid. The Government actually undertook, in 1835, to appoint a Commission to inquire into the needs of the Church.[4] But the Commission came to nothing. The Scotch complained of its composition.[5] They soon learned to suspect that the Melbourne ministry had little heart in its appointment. Its members talked of altering the law of teinds, as tithes are called in Scotland, and of obtaining by the pro-

[1] *Ten Years' Conflict*, vol. i. pp. 303, 307.

[2] *Life of Chalmers*, vol. iv. pp. 32 and 87.

[3] Hanna's *Life of Chalmers*, vol. iii. p. 459. Some members of the Church of Scotland had desired to legislate in Parliament on the patronage question. Sinclair in 1833 introduced a bill to relieve the Church of Scotland from the thraldom of patronage, which had so long impaired its usefulness and grieved the hearts and consciences of its most attached and zealous friends. *Hansard*, xix. 704. But on the Speaker saying that the measure could not be entertained without the consent of the Crown, it was withdrawn. *Ibid.*, p. 718. In the following year Ewing presented a petition for the repeal of the Act of Anne (*ibid.*, vol. xxi. p. 868), and Sinclair moved for a Select Committee to inquire into the law of patronage. *Ibid.*, p. 926. The Committee practically made no report, according to Buchanan, because the passage of the Veto law had met the exigencies of the case. *Ten Years' Conflict*, vol. i. p. 195. But in the following year, Johnstone, a Scotch member, after drawing attention to the proceedings of the Committee (*Hansard*, vol. xxviii. p. 882), asked for leave to introduce a bill abolishing lay patronage. *Ibid.*, vol. xxix. p. 412.

[4] *Hansard*, vol. xxviii. p. 704, and vol. xxix. p. 138.

[5] Hanna's *Life of Chalmers*, vol. iii. p. 471. It was complained that of eleven members ten were adherents of the ministry. *Hansard*, vol. xxx. pp. 1 and 1073.

CHAP. XXI. 1833–1843.

cess additional funds for church purposes. But they did nothing. Perhaps they could have done nothing. A reformed House of Commons was not likely to favour the increased endowment of an Established Church.[1]

It was well, therefore, for Chalmers and the Church, that they relied on their own exertions rather than on State aid. Encouraged by the passage of the Veto law, animated by Chalmers' eloquence, and urged forward by a variety of considerations which were infusing energy into every political and religious movement, the members of the Scotch Church proved their zeal by subscribing their thousands and tens of thousands for church work at home and for missionary effort abroad. And, for four years after the passage of the Veto law, this great religious movement flowed on without serious obstacle. Yet, even in 1834, an event had occurred which was ultimately to agitate all Scotland. In August of that year, Auchterarder, a parish in Perthshire, lost its minister. Lord Kinnoul, the patron of the parish, nominated Mr. Robert Young to the living; and, in accordance with the usual practice, the presbytery directed the nominee to preach, in order that the congregation might have an opportunity of judging of his qualifications. Young's preaching did not commend him to the critical ears of the Scottish audience. Out of 3,000 people, only three came forward to sign his call. The presbytery thereupon decided to give the

The Auchterarder case.

[1] Wellington said to Buchanan, who waited on him with a deputation, 'My firm conviction is, you will get nothing. The real question which now divides the country, and which truly divides the House of Commons, is just this—Church or no Church . . . and the majority of the House of Commons—a small majority it is true, but still a majority—are practically against it.' *Ten Years' Conflict*, vol. i. p. 312. Wellington's opinion proved tolerably correct. In May 1837, Sir W. Rae moved a series of resolutions affirming the necessity of taking steps for extending the means for church work in Edinburgh, and Russell, declaring that the motion obstructed public business, persuaded the House to pass to the order of the day by 217 votes to 176. *Hansard*, vol. xxxviii. p. 652; cf. *ibid.*, p. 881, and vol. xliii. p. 966. The reasons which induced the Government to hold back will be found in Hanna's *Life of Chalmers*, vol. iv. p. 20.

heads of families an opportunity of expressing their dissent under the new Veto law, and 287 persons protested against the appointment. After some delay, due to circumstances which had no immediate bearing on the case, the presbytery rejected the nominee.[1]

So far, everything had proceeded as the framers of the Veto law had intended. But there was at least one person immediately interested in the issue who could hardly be expected to defer to the decision of the presbytery. The presentee decided on appealing from the Courts of the Church to the Courts of the State, and he obtained, at any rate, the use of Kinnoul's name, to enable him to prosecute the appeal. As the appeal was originally drawn, the Court of Session was asked to declare that the stipend of the cure should be paid to the pursuer during the lifetime of the presentee; but, before the case came on for trial, the summons was amended, and the Court was asked to affirm that the presbytery was legally bound to make trial of the qualifications of the presentee, and, if they found them satisfactory, to admit him to the cure. The case, therefore, in its amended form, raised the whole issue which the Veto law had apparently determined. If the Veto law were binding on the presbytery, there could be no doubt that the presbytery had been right in rejecting the nominee. But, if the necessity for a call was merely the law of the Church and not the law of the land, the Civil Courts might refuse to recognise the proceedings of the General Assembly. And the latter view was adopted by the Court of Session. Eight out of thirteen judges declared that 'the call' was opposed to the law, and that the rejection of the presentee was therefore illegal.[2] The President of the Court made its decision

[1] *Ten Years' Conflict*, vol. i. pp. 340-349; cf. passim, *Life of Chalmers*, vol. iv. p. 91 *sq.*, and Macfarlane's *Late Secession*, ch. iv.

[2] *Ten Years' Conflict*, vol. i. pp. 390, 398.

CHAP. XXI. 1833–1843.

more forcible by adding,[3] 'That our Saviour is the head of the Kirk of Scotland, in any temporal, or legislative, or judicial sense, is a position which I can dignify by no other name than absurdity. The Parliament is the temporal head of the Church, from whose acts, and from whose acts alone, it exists as the national Church and derives all its powers.'

The decision of the Court of Session raised a ferment throughout Scotland. As Maister Saunders said, in Mr. Alexander's striking story,[1] 'It's aneuch to gar ane's bleed boil to think o't, aifter the noble struggles an' sufferins o' oor covenantin' forbears to maintain spiritooal independence.' The Assembly of 1838 passed a resolution pledging itself to defend the exclusive jurisdiction of the Church Courts in all matters touching its doctrine, government, and discipline.;[2] it determined to appeal from the Court of Session to the House of Lords. But this appeal from Cæsar to Cæsar only led to increased embarrassment. The Lords—through Brougham and Cottenham—held that the presbytery in Scotland was only in the position of the bishop in England, and that it had nothing to do but to inquire into the qualifications of the nominee in doctrine, literature, and life; and that except for heresy, ignorance, or immorality, the Church could not legally reject the patron's presentee.[3]

Civilised society is organised on the assumption that the decisions of its highest Courts must be upheld. Society assumes that the judges are right; but it also assumes that if they be wrong there is no use in questioning their decision. The man who will not accept the judgment of the Courts practically opposes himself to the power of the State. But this is exactly

[1] *Ten Years' Conflict*, vol. i. p. 393.

[2] *Johnny Gibb of Gushetneuk*. Mr. Alexander's story, illustrating as it does the feelings of a Scottish parish, is less well known south of the Tweed than it deserves to be.

[3] *Ann. Reg.*, 1838, Chron. p. 88; *Ten Years Conflict*, vol. i. pp. 409–415.

[4] *Ibid.*, vol. i. p. 423.

what a churchman who takes his stand on authority seems incapable of perceiving. The Scotch Evangelicals were ready to allow that the Civil Courts had the exclusive right of dealing with all questions affecting the civil position of the Church; but they could not bring themselves to admit that a temporal Court had the right to determine what was, and what was not, a civil matter. The fact that that right was due to the circumstance that the State as a whole must be stronger than any organisation in the State could not be driven into their perceptions. They assumed the imperium of the Church in the imperio of the State, and they could not see that, when the two imperia collided, the weaker of the two must necessarily give way.[1]

What, under these circumstances, was the Church to do? The Moderate party in the Assembly of 1839 wished to bow to a decision which it seemed hopeless to resist, and to instruct the presbyteries to proceed as they would have proceeded before the passing of the Veto act.[2] Chalmers, and the Evangelical party in the Assembly, on the contrary, wished to admit the claims of the presentee to the emoluments of the benefice, but to solemnly re-affirm the principle of non-intrusion, and to appoint a committee to consider how the privileges of the Church could best be maintained.[3] The advice which Chalmers gave was adopted by the Assembly,[4] and a committee was appointed, charged

[1] How hopeless the contention of the Church was may be inferred from a passage in the *Autobiography* of Campbell, who argued the case of the Church in the Lords. He wrote in 1841: 'Its recent pretensions were more extravagant than any ever set up by the Church of Rome, and wholly incompatible not only with established law, but with the existence of settled government.' *Autobiography*, vol. ii. p. 176. Campbell's view was not exaggerated. Buchanan says, 'In so far as it (the House of Lords) had assumed jurisdiction in these spiritual matters, the ground taken by the Church was this—that not only was it not the highest competent judicatory in the land, but that it was not a competent judicatory at all.' *Ten Years' Conflict*, vol. ii. p. 140.

[2] Dr. Cooke's resolution to this effect will be found in *Ten Years' Conflict*, voi. i. p. 436.

[3] *Life of Chalmers*, vol. iv. p. 106.

[4] *Ten Years' Conflict*, vol. i. p. 466.

CHAP. XXI. 1833–1843.

with the duty of consulting the Government on the necessity of maintaining the privileges of the Established Church.

The committee which was thus appointed did not effect much. The Prime Minister received them with a joke, the leader of the House of Commons with an argument for delay, and the members of the deputation saw plainly that they had little to expect from a falling ministry in a hostile Parliament. Unable to obtain the help which they required from the Government, they turned to the Opposition, applying naturally to Aberdeen, the most prominent Scotchman on the Conservative side of the House of Lords. The Whig leaders had expressed sympathy with the Church, but had declared their inability to afford it relief. The Tory statesman undertook to legislate, but declined to legislate on the only grounds which would have been acceptable to the Assembly. Aberdeen was willing to introduce a bill giving to the presbytery the power which the Assembly had desired to confer on the people. The presbytery was to decide judicially on any objections raised to the presentee; but the objections were to be specific objections, and the mere fact that the presentee was unacceptable to the congregation was not to invalidate the appointment. A half-measure of this kind might possibly have been accepted some years before. It was condemned by the Assembly in 1840, and Aberdeen, finding that the bill did not produce agreement, withdrew his measure.[1]

Aberdeen's Non-Intrusion Bill.

While statesmen were thus failing to satisfy the Assembly, the dispute between Church and State was continually becoming warmer. The difficulty which

[1] *Life of Chalmers*, vol. iv. p. 123 *seq.*; Buchanan's *Ten Years' Conflict*, vol. ii. p. 61 *seq.* For the ministry's refusal to legislate, cf. *Hansard*, vol. liii. p. 225: for Aberdeen's bill, *ibid.*, p. 1209; for the division on the second reading, *ibid.*, vol. liv. p. 1241; for the withdrawal of the bill, *ibid.*, vol. lv. p. 593.

The Marnoch case.

had occurred at Auchterarder recurred at Lethendy, at Marnoch, at Cusalmond, and at other places. The case of Marnoch, a parish in the presbytery of Strathbogie, a presbytery in the adjacent counties of Banff and Aberdeen, attracted much attention. The living became vacant in 1837. The patrons, Lord Fife's trustees, appointed to it Mr. Edwards, a minister who for three years had assisted the previous incumbent. Only one parishioner signed the presentee's call, 261 dissented from his appointment, and Edwards was rejected. Encouraged, however, by the decision in the Auchterarder case, Edwards appealed to the Court of Session; the Court ordered the presbytery to take the presentee on trial; and the majority of the presbyters, declining to listen to the congregation, obeyed the Court.[1]

But the presbytery, in thus obeying the Court, had failed to recollect the power of the Assembly. The Commission of the Assembly at once suspended the presbyters who had voted in the majority, and threatened to depose them from the ministry if they proceeded with the intrusion of the presentee. The suspended ministers appealed from the Assembly to Cæsar, and asked the Court of Session to prohibit the minority from exercising any ministerial or other functions in the presbytery; and by two decrees, in the course of 1839, the Court complied with the prayer of the petition.[2]

The tension between State and Church was seriously aggravated in the following year. The Court of Session, on the application of Edwards, ordered the presbytery to receive him as minister of Marnoch. The majority of the presbytery again obeyed the order of the Court. The church of Marnoch was forced open, the presentee

[1] *Life of Chalmers*, vol. iv. p. 140 *sq.*; *Ten Years' Conflict*, vol. ii. p. 18 *sq.* There is an excellent account of the Marnoch case in the novel I have already quoted, *Johnny Gibb*, p. 40.

[2] *Ten Years' Conflict*, vol. ii. pp. 31–49.

CHAP. XXI. 1833-1843.

was duly installed, and became thenceforward the minister of an empty church.[1] Such a challenge the Assembly could hardly have ignored. It proceeded to carry out its threat. In the name and by the authority of the Lord Jesus Christ, the alone king and head of the Church, seven ministers, the majority of the Assembly, were formally turned out of the ministry for the sin of obeying Cæsar rather than the Church.[2]

Conduct of this kind did not increase the chances of a settlement. Yet a friend of the Church made one strong effort to avert the disruption which was now evidently approaching. The Duke of Argyll was connected, both by tradition and conviction, with the Church of Scotland; his high rank and his vast estates gave him weight in the House of Lords, and suggested to him the possibility of terminating the dispute by legislation. The Assembly, it was obvious, would not yield to the Court of Session; the Court, on the other hand, could not yield to the Assembly; and the only chance of a settlement, therefore, lay in the alteration of the law in the manner which the Assembly desired. On the 6th of May, 1841, Argyll introduced a bill into the Lords, to give effect to the arrangements which the Assembly had endeavoured to establish by the Veto law of 1834. His proposal naturally received the cordial support of the Assembly, but it failed to secure much consideration from the Lords.[3] The House of Lords would, under any circumstances, have disliked a measure which interfered with property, and they found ready excuse for refusing Argyll a hearing in the conduct of the Assembly, and in the position of politics. The Assembly which was supporting Argyll's bill was the same Assembly which was suspending ministers for

The Duke of Argyll's bill.

[1] *Life of Chalmers*, vol. iv. p. 213 *sq.*; *Ten Years' Conflict*, vol. ii. p. 183 *sq.*

[2] *Ibid.*, p. 277; cf. for the Strathbogie case, *Ann. Reg.*, 1840, Chron. p. 51.

[3] *Ten Years' Conflict*, vol. ii. p. 218. It was supported by the Assembly by 230 votes to 105. *Ibid.*, p. 244.

obeying the law courts; the Parliament which Argyll was asking to legislate was the Parliament which was rapidly moving to its own dissolution under the guidance of a discredited ministry. Before many weeks were over, it was, in fact, dissolved; before many months were over, the Whig ministry was finally defeated, and the Assembly, instead of dealing with Melbourne and Russell, had to reckon with Peel and Aberdeen.

The change of Ministry in 1841.

The change of ministry was not calculated to advance the fortunes of the Scotch Church. As a general proposition, indeed, the Conservatives were identified with High Church, the Liberals with Broad Church principles; and, as the Assembly was really raising the same issue as the Tractarian party, it might hope, on exclusively Church grounds, for Conservative support. But the political composition of the Scottish Church interfered with this result. The Church of Scotland, Conservative in an ecclesiastical sense, has always been Liberal in a political sense. Based on popular support, opposed to aristocratic privilege, it is democratic both in its origin and policy. Its attitude, moreover, was opposed to the spirit in which Peel was reorganising the Conservative party. He was taking his stand in defence of law and order; and the Scottish Church was defying the law courts, and striking, by doing so, at the foundations of order. In the beginning of the session of 1842, Graham declared that the Government was determined to stand by the law. Campbell, a Scotch Tory, at once 'defied' the Secretary of State to carry out his threat, and introduced, on his own behalf, a bill identical with that which Argyll had laid before the Lords in the preceding year. The introduction of the bill forced the ministry to reconsider its hasty declaration. Graham asked that the measure might be postponed in order that the ministry might have an opportunity of itself

Graham's proposals.

CHAP. XXI. 1833-1843.

attempting legislation. He had reason, so he stated, to hope that an opportunity had arisen for arriving at an agreement. He hinted that the ministry desired to secure the patron his right of presentation, the heritors their right of objection; and to vest the Church Courts with power to decide on the validity of the objections.[1]

The principles which Graham had thus enunciated were apparently identical with those on which Aberdeen had endeavoured to legislate two years before; and it was unlikely that the Assembly in 1842 would be satisfied with an arrangement which it had rejected in 1840. Conflict tends to increase rather than to minimise differences. In 1834 the Assembly had been content with a veto; in 1842 it agreed to a resolution that the existing difficulty could only be removed by the absolute abrogation of the law of patronage.[2] The Assembly which committed itself to this resolution proceeded to draw up another document, containing a claim, a declaration, and a protest. It claimed, as of right, that the Church should enjoy her liberties, and that she should be protected 'therein from the unconstitutional and illegal encroachments of the Court of Session.' It declared that she could not 'intrude ministers on reclaiming congregations, or carry on the government of Christ's Church subject to the coercion attempted by the Court of Session.' It protested that all 'Acts of the Parliament of Great Britain, passed without the consent of the Church and nation, in alteration of or derogative to the government, discipline, rights and privileges of the Church . . . and also all sentences of Courts in contravention of the same government, discipline, rights and privileges, are and shall be null and void.'[3]

The claim, declaration, and protest.

[1] *Hansard*, vol. lxi. pp. 618, 631, 641, vol. lxiii. p. 97,; *Ten Years' Conflict*, vol. ii. pp. 338–343; cf. *Life of Chalmers*, vol. iv. p. 279 *sq.*

[2] *Ten Years' Conflict*, vol. ii. p. 356. The resolution was carried by 216 votes to 147.

[3] *Ibid.*, pp. 360, 361, and Appendix; cf. *Life of Chalmers*, vol. iv. p. 291 and Appendix.

To give greater significance to this 'noble and able document,' as the friends of the Church thought proper to style it, the Assembly decided on forwarding it through the High Commissioner for presentation to the Queen. Graham only consented to lay it before her Majesty on the ground that his doing so committed him in no way to its principle and contents. But he told the House of Commons that the hopes which the Government had entertained of settling the dispute had been destroyed by the Assembly's action; and, when the discussion on Campbell's bill was resumed, stopped the debate on the Speaker's pointing out the inability of the Commons to consider a measure, dealing with the patronage of the Crown, without the consent of the Queen.[1]

The crisis was rapidly approaching its end. But the Scottish Church made one more effort to effect its object without disruption. In November 1842 its convocation met in Glasgow. Its members drew up two series of resolutions, the one expounding their grievances, the other suggesting a remedy. They concurrently framed a memorial to Peel, distinctly stating that, if the remedy were not applied, they could not agree to remain in communion with the Church.[2] They soon had their answer. In January 1843 they were told by Graham that their claim was unreasonable, and that Government could not advise the Queen to acquiesce in their demands.[3] Fox Maule, in March, appealed from the Ministry to the House of Commons. But the House displayed equal reluctance to concede the claims which the Church was making. By a decisive majority it declined to enter upon the inquiry which Fox Maule pressed on it. The Lords, immediately afterwards, took the same course;[4]

[1] *Ten Years' Conflict*, vol. ii. p. 380. *Hansard*, vol. lxiii. pp. 1428, 1585.

[2] *Ten Years' Conflict*, vol. ii. pp. 394, 399.

[3] *Ibid.*, p. 412.

[4] *Life of Chalmers*, vol. iv. pp. 324, 327; *Hansard*, vol. lxvii. pp. 354, 510; vol. lxviii. pp. 37, 218.

CHAP. XXI. 1833–1843.

and on the 24th of May, 474 ministers voluntarily surrendered the advantages of the Establishment and formed the Free Church of Scotland.

The Secession.

It is not every nation, it is not every age, which can produce the spectacle of nearly 500 men leaving their homes, abandoning their incomes, for the sake of opinion. It is literally true that disruption was frequently a sentence of poverty, and occasionally of death, to the ministers of the Church. Well, then, might a great Scotchman of that time say that he was proud of his country,[1] proud of the heroism and self-denial of which her pastors proved capable. But well also might a Scotchman of the present time say that he was proud of the success which Voluntaryism achieved. It was the good fortune of the Church that in the hour of her trial she had a worthy leader. Years before, while ministering to a poor congregation in Glasgow, Chalmers had insisted on the cardinal doctrine that the poor should be made to help themselves.[2] He applied the same principle to the Scotch Church. He saw that religion, like trade, profits by advertisement, and boldly imitating a cry which the Conservatives had already borrowed from the Radicals, called on his friends around him to 'organise, organise, organise.'[3]

It is not, however, the Church alone which deserves commendation. The nation supported the Church. Individual proprietors, indeed, with a narrow churlishness, in some cases refused the new congregations sites for the chapels which they desired to erect. Their conduct made no difference in the general result. In the four years which succeeded the disruption, the Free Church raised 1,254,000*l.*, and built 654 churches. Her

[1] Lord Jeffrey in *Life of Chalmers*, vol. iv. p. 339.

[2] As minister of the Tron Church Chalmers severed himself from the charities of the town, to make his poor feel that he had nothing but spiritual help to offer; and he advocated the payment of school fees, to make the poor independent. *Ibid.*, p. 398.

[3] *Ibid.*, p. 332.

ministrations were extended to every district and almost every parish in the land.[1]

Such is the short history of the great disruption which corresponds with the Tractarian movement in England. Both the Tractarian controversy and the Free Church of Scotland had their origin in the stirring events of the sixteenth and seventeenth centuries; both of them were shaped by the course which the Reformation took in the two portions of Great Britain; both of them were reactions against the religious indifferentism of the eighteenth century; both of them received their final impulse from the attack of the Radical party on Church Establishments in a reformed Parliament; both of them strove to assert the authority of the Church, both of them desired to resist the interference of the State. The impulse was so closely similar in each case that both of them made their first advances in the same month and in the same week;[2] and, in the very year in which Chalmers led the secession from the Church of Scotland, Cardinal Newman resigned his Oxford living.

The connection between the Tractarian and Disruption controversy.

Few things are more curious in the religious history of the world than the close parallel which may thus be drawn between these two movements. The Scottish churchman regards the Roman Catholic religion with abhorrence; the English ritualist contemplates the Scottish Calvinist with pity. To those who only look at the form and trappings of religion there is nothing in common between the gorgeous ritual of Rome and the austere simplicity of the Scottish worship. Yet closer observers, who look at the man and not at his clothes, will have no difficulty in seeing that both Churches

[1] *Ten Years' Conflict*, vol. ii. p. 468; *Life of Chalmers*, vol. iv. pp. 366, 487.

[2] Keble preached his Assize sermon on the 14th of July, 1833. Sinclair introduced his bill to relieve the Church of Scotland from the thraldom of patronage two days afterwards. There is a curious letter of Chalmers against the Appropriation Clause of the Whig ministry, which might have been written by Mr. Newman. *Life of Chalmers*, vol. iv. p. 24.

CHAP. XXI. 1833-1843.

are founded on the same base—authority, and may perhaps be tempted to conclude that the accidents of history, or of politics, or of climate, have made one man a Roman Catholic and another a Presbyterian.

The Scotch movement marked by greater earnestness on the part of the people.

If the two movements were in most respects identical both in time and in history, the impartial observer will award the palm of earnestness to the Scotch. Individual Englishmen, indeed, displayed a readiness to sacrifice place and position, and to leave the loaves and fishes of the Church of England for the frugal fare afforded by the Church of Rome. But in England these secessions were the acts of individuals; in Scotland secession was the act of a nation. Earnest and sincere as the Tractarians were, there was never a moment when the whole body would have deliberately departed from Goshen and encamped in the wilderness. The issue raised by Hampden's appointment to Hereford was precisely similar to that raised by Edwards's appointment to Marnoch. The Chapter of Hereford behaved like the majority of the presbytery of Strathbogie. But, while the people of Marnoch left their church and worshipped in the fields, the people of Hereford still frequented the Cathedral.

The cause of this.

What was the reason which made the Church of Scotland firm to the end, and which made the High Church party in England feeble? The Church of Scotland had less wealth than the English Church, but the authority of Chalmers rested on a more popular basis than that of Cardinal Newman. The stake which the Dean and Chapter of Hereford had in the Church was too large to be lightly abandoned. The endowments of the Scottish Church, on the other hand, were too small to exercise an equally controlling influence on opinion. The movement in the English Church, moreover, was an aristocratic movement, and the power of its leaders would have been destroyed if they had stripped them-

selves of their emoluments; the movement in the Scottish Church was a popular movement, and the power of its leaders with the people was increased by their resistance to the State. The Church of Scotland stood firm while the Tractarian movement failed, because democracy is a stronger force than aristocracy.

There was one other reason which gave greater vitality to the Scottish than to the English movement. The majority of Scotch churchmen forty years ago lived in an atmosphere of faith; the majority of English churchmen lived in an atmosphere of doubt. The Wesleyan of the present century prefers to be called a nonconformist, and dislikes to be styled a dissenter, and churchmen occasionally find it difficult to understand the distinction which the Wesleyan thus draws. Yet the distinction is perfectly plain. The Wesleyan wishes it to be understood that, though he does not conform to the Church, he does not dissent from its teaching. And churchmen should have no difficulty in the present day of understanding this distinction, because the position of many of them is the exact opposite of that of the Wesleyan. They dissent from much of the teaching of the Church, but for various reasons they conform to its services.

For, while the movements which have been described were in progress, a new movement which promises to be greater than any of them has been gradually gaining votaries. While the Newmans have been fighting for traditions and for forms, the thinkers have been speculating over the origin of all religions. In 1838 Hennell published the 'Inquiry,' which changed the whole course of George Eliot's life.[1] In 1859 Darwin applied the doctrine of Natural Selection to the origin of Species. It is not too much to say that, just as in the seventeenth century astronomy enlarged man's ideas of space, and

[1] *Life of George Eliot*, vol. i. p. 93 *et seq.*

CHAP. XXI. 1833–1843.

as in the first half of the nineteenth century geology enlarged his ideas of time, so biology is now enlarging his ideas of man.

Into the considerations, to which this reflection leads, it is not the business of the historian of the first half of the nineteenth century to plunge. It is not his mission to trace the conflict between reason and authority to its final issue, or to predict when and where the decisive battle will be fought. For the result may be very slow in coming. Many of those who fight under the banner of reason have no desire to hasten the defeat of authority; and, should the victory at last arrive, many of them will hope that men will still agree in worshipping that Almighty and Incomprehensible I AM, Who, whether He be called Nature, or Force, or Jupiter, or Jehovah, is the All-pervading, All-sustaining Law; and in recognising that man's highest ideal is that perfect Being, whose words and whose life are our comfort, our hope, and our example. She was a great woman, who, in the closing decade of her life, bore witness to the 'one comprehensive Church, whose fellowship consists in the desire to purify and ennoble human life, and where the best members of all narrower churches may call themselves brother and sister in spite of differences.'[1] He was a still greater writer who laid down the maxim which man in a conscious humility may still repeat: 'Blame not before thou hast examined the truth: understand first, and then rebuke.'

[1] *Life of George Eliot*, vol. iii. p. 243.

CHAPTER XXII.

In forming the Cabinet of 1841, Peel decided on entrusting the seals of the Foreign Office to Aberdeen. The new minister was no stranger to Downing Street. Succeeding Dudley in 1828, he had been responsible for the foreign policy of England for more than two years. He had begun his political career as the colleague of Palmerston; he closed it as the head of a ministry in which Palmerston held office. During almost the whole period, Palmerston was attached to the Liberal party, while Aberdeen enjoyed the confidence of the Conservatives. Yet, in domestic policy, from 1832 downwards, Aberdeen was usually more liberal than Palmerston. In foreign policy, Palmerston was always more liberal than Aberdeen. If the questions which forced themselves into prominence in 1830 had recurred in 1841, the development of British foreign policy might have been sharply arrested. In 1841, however, the period of revolution was over, the claims of struggling nationalities no longer engaged the attention of diplomatists; and a Conservative Foreign Minister, instead of promoting the cause of progress abroad, could busy himself in soothing some of the wounds which his predecessor had either inflicted or failed to heal.

Aberdeen as Foreign Minister.

One wound had been festering for more than half a century. Ever since the close of the great war which had cost England her noblest colony, differences had existed between the mother country on the one hand

The boundary of the United States.

CHAP. XXII. 1841.

and the infant republic on the other, respecting their boundary. Nominally, the question had been settled by treaty. In reality, imperfect knowledge and inexact language had left it open; and, for nearly sixty years, a chronic dispute existed as to the precise spot at which the authority of Britain terminated and the authority of the United States began.

This dispute affected the entire boundary of country and colony. But it raged most acutely on or near the Atlantic seaboard. At that point, the treaty of 1783 had made the St. Croix the boundary, but it had taken fifteen years to decide which river was the St. Croix of the treaty. The primitive settlers had raised a cross on almost every stream; and, just as in our own country, almost every river was originally 'the water,' so in America every river on which a cross stood was the St. Croix.[1] In 1798, a commission agreed to consider a little river flowing into the Bay of Fundy, near its junction with the Atlantic Ocean, as the St. Croix of the treaty. It even erected a monument at the source of the stream as a record of its decision. One point in dispute had in this way been disposed of, but a much more difficult question remained for settlement. The treaty of 1783 directed that the boundary of the two countries should be carried from the source of the St. Croix due north till it struck the highlands which separated the rivers which flowed into the St. Lawrence on the north and the Atlantic Ocean on the south. It was obviously the opinion of the diplomatists who signed the treaty, that a backbone of hills ran between the St. Lawrence and the St. Croix, and that all the rivers which rose on one side of the hills flowed into the St. Lawrence, while all the rivers which rose on the other side flowed into the Atlantic. Even in those

[1] For the St. Croix see, *inter alia*, *State Papers*, vol. xxiii. p. 406, and cf. *ibid.* vol. xxii. p. 815.

days, a little inquiry might probably have disabused them of the impression. Between the basins of the St. Lawrence and of the St. Croix were other rivers which flowed neither into the St. Lawrence on the one side nor into the Atlantic on the other. The principal of these were the Ristigouche, which flowed into the Bay of Chaleurs, and the St. John which flowed into the Bay of Fundy. No highlands, therefore, existed which corresponded with those described in the treaty.

The award of the King of the Netherlands.

In 1814 a further attempt was made to settle the question. It was arranged at Ghent that commissioners should be appointed by the two countries to trace the boundary between them; and that, in the event of their failing to agree, the differences should be referred to some friendly sovereign. The commissioners, after a protracted investigation, formed opposite conclusions, and the King of the Netherlands, on the invitation of both countries, accepted the arbitration. Diplomacy moves with halting footsteps. It had taken fifteen years from the treaty of 1783 to decide the St. Croix of the treaty. It took thirteen years from the treaty of Ghent to refer the further dispute to the King of the Netherlands.

The first point for the King of the Netherlands to determine was the spot at which a line drawn due north from the St. Croix cut the highlands of the treaty. When that spot was once ascertained, the boundary between the two countries was to run along the highlands till it reached the north-western source of the Connecticut River. From the Connecticut it was to run along the 45th parallel of latitude till it reached the St. Lawrence. There were, therefore, three points at issue: 1st, The highlands of the treaty; 2nd, the north-western source of the Connecticut; 3rd, the 45th parallel. The King of the Netherlands fixed on one of the sources of the Connecticut as the source of

CHAP. XXII. 1841.

the treaty; he decided that an old survey of the 45th parallel was inaccurate; and that the parallel should be laid down anew; but he professed himself unable to determine the other point which had been referred to him. The language of the treaty required that the highlands described in it should directly separate rivers flowing into the St. Lawrence on the one side and the Atlantic on the other, and no such highlands could be found. Unable, therefore, to pronounce any decision on the point expressly submitted to him, the King of the Netherlands suggested that the boundary should be drawn due north from the St. Croix till it reached the St. John; that it should run up the bed of the St. John till it reached its tributary the St. Francis, and that it should run up the St. Francis to its source, and thence along the highlands to the source of the Connecticut.[1]

The King of the Netherlands had virtually adopted the course which every arbitrator since the days of Solomon has followed. He had ordered the living child to be divided between the two women. On behalf of England, Palmerston acquiesced in the decision. The American envoy at the Hague, on the contrary, at once lodged a protest against it. The conduct of the American envoy was supported by his own countrymen.

The award rejected by the United States,

Loud dissatisfaction was everywhere expressed at the king's decision, and the Senate of the United States refused to accept the award.[2]

The Senate justified its refusal by asserting that the King of the Netherlands had exceeded his powers. He had been directed to ascertain the highlands of the treaty; and, unable to do this, he had fixed on another line which did not come under the definition of 1783. The arbiter, as the Legislature of Maine, the State principally affected, put it, instead of pronouncing a

[1] *State Papers*, vol. xviii. p. 1249.
[2] *Ibid.*, vol. xxii. pp. 772, 776, 787.

decision had only given his advice; and it was open to either party to reject his counsel. The Senate of the United States, moreover, declared that it had constitutionally no power to cede territory belonging to any individual State, and that it could not acquiesce in the award without making such a cession. Instead, therefore, of accepting an unwelcome decision, it authorised the President of the United States to commence a fresh negotiation with the British Government. The arbitration had failed, and it was necessary to begin anew.[1]

The award of the King of the Netherlands was given in the beginning of 1831. The decision of the Senate to refuse the award was not finally pronounced till July 1832. The offer of the American Government to commence a fresh negotiation was formally communicated to the British Foreign Minister in the following month, and the British Government suffered six months to pass before it replied to the American proposal. The United States suggested that, as the highlands of the treaty could not be discovered in a line drawn due north from the St. Croix, the highlands nearest to that line which came within the definition of the treaty should be substituted for them. Palmerston, however, declined to accept the proposition until a preliminary matter was arranged.[2] The United States contended that the Ristigouche which fell into the Bay of Chaleurs, and the St. John which fell into the Bay of Fundy, were Atlantic rivers. Great Britain denied the contention, and the King of the Netherlands had supported the denial. In the interests of his own country Palmerston declined embarking on a new reference to discover the disputed highlands,

[1] *State Papers*, vol. xxii. p. 777, and cf. 789.

[2] Croker in the *Quarterly Review* blamed Palmerston severely for not accepting this line. *Quarterly Review*, vol. lxxi. p. 563. The article is worth reading, though its arguments are not conclusive. Cf. Croker's *Memoirs*, vol. ii. p. 393 *sq.*

CHAP. XXII. 1841.

till both parties agreed to accept the decision of the King of the Netherlands, that the St. John and the Ristigouche could not be considered Atlantic rivers.[1] This position the Government of the United States formally refused to adopt; and Palmerston, finding all progress impossible, withdrew his acceptance of the award of the King of the Netherlands.[2]

and ultimately by England.

Thus, after more than fifty years of negotiation, the question remained unsolved. The United States claimed that the northern frontier should be carried north of the St. Croix to the highlands which immediately bounded the St. Lawrence. The British Government contended that the southern frontier of British America should be extended to the highlands which formed the southern watershed of the St. John. At last, at the end of 1835, Palmerston suggested that the disputed territory should be equally divided, and that Canada and the United States should both take one-half of it. The proposal sounded specious enough, but it was evidently inadmissible. The award of the King of the Netherlands would, as a matter of fact, have secured the United States three-fifths of the disputed territory.[3] A country which, rightly or wrongly, had refused three-fifths was not likely to be contented with one-half. Instead of the boundary which Palmerston suggested, the United States proposed that the St. John should be made the frontier of the two countries from its source to its mouth. The proposal would have given New Brunswick a portion of the disputed territory between the St. John and the St. Francis, but would have deprived it of a still more valuable territory between the St. Croix and the St. John. It was at once refused by Palmerston, and the whole question, therefore, was again involved in its original difficulty.

[1] *State Papers*, vol. xxii. pp. 795, 860.

[2] *Ibid.*, vol. xxiii. pp. 405, 421.

[3] *Ibid.*, vol. xxii. p. 827.

In the meanwhile, however, a question which had only occupied the leisure of diplomatists was gradually acquiring fresh importance. While envoys and foreign secretaries were winning logical victories, the territory in dispute was increasing its population and its wealth. Diplomacy, instead of haggling over forest and meadow, lake and river, had to negotiate for the transfer of living men and women, with wills and inclinations of their own. The State of Maine decided on including in its census the inhabitants of some of the disputed territory. In June 1837, one of its officers, Ebenezer Greely, entered the district of Madawaska, and commenced the task of enumerating the people. The authorities of New Brunswick promptly arrested him. The American envoy in London remonstrated at the Foreign Office, and demanded release and indemnity for Greely; the colonial authorities carried their complaints also to Palmerston, and urged him to forward them to Washington. The temperament of the British Foreign Minister disposed him to support the arguments of British colonists in preference to admitting the complaints of his opponents. He failed to comply with the American claim, and Greely remained in prison. In the autumn, however, which succeeded Greely's arrest, the folly of allowing such a matter to remain unsettled received a fresh illustration. Canada burst into rebellion; the resources of the British Government were taxed to suppress the revolt; and its difficulties would have been largely increased if the insurgents had obtained the co-operation of the United States. The States, however, did not interfere. 'Not one single act of border inroad or encroachment' was even committed by any citizen of the State of Maine on the disputed territory; and the Governor of New Brunswick, acknowledging the obligations under which Maine had thus placed him, seized the

The increasing importance of the question.

Greely's arrest.

and release.

CHAP. XXII. 1841.

opportunity for terminating a crisis by enlarging Ebenezer Greely.[1]

The conduct of the State of Maine and of the Governor of New Brunswick had done something to promote goodwill and fellowship among two great nations. Before Greely's release, however, another occurrence in another part of the frontier had excited fresh animosity. Some lawless persons—Americans and Canadians—had taken advantage of the rebellion in Canada to seize a small island in the Niagara River above the Falls, and to convert it into a sort of camp from which they could sally into the adjacent territory. Navy Island, as the islet was called, was in Canada; but the men upon it drew their arms and supplies in a small steamer—the *Caroline*—from Fort Schlosser, a tavern, dignified with the name of a fort, on the American shore. Van Rensselaer, who was in command on the island, succeeded in collecting a force which was variously estimated at from 500 to 1,500 men. It was impossible for any Government to tolerate the continuance of such a force on its territory. Colonel M'Nab, who commanded the British troops in the district, decided on seizing the *Caroline* and on thus isolating Van Rensselaer. On the night of the 27th of December, the boats despatched for the purpose rounded the island on the shores of which the *Caroline* was supposed to be lying. Unluckily the *Caroline*, instead of remaining near the island, was anchored in American waters off Fort Schlosser. The service was pressing; there was no time for reflection; the officer in command of the expedition decided, at any cost, on fulfilling his orders. He attacked the steamer. At least one American citizen was killed in the affray; the *Caroline* was seized, set on fire, towed into the stream, and allowed to drift still burning over the Falls of Niagara.

The *Caroline*.

[1] *State Papers*, vol. xxvii. pp. 937-968.

The story was perhaps naturally exaggerated in the telling of it. Pictures of the burning steamer were sold by American publishers; and American citizens—it was stated—had drifted on board the burning vessel to their fate. These rumours, though they found ready credence, had happily no foundation in fact. No one was on board the *Caroline* when she drifted over the falls, and the only American blood spilt on the occasion was shed in the affray which preceded her capture. But the incident, notwithstanding, was sufficiently disagreeable. There could be no doubt that the British had seized and destroyed an American vessel in American waters. Nothing but 'a necessity of self-defence, instant, overwhelming, leaving no choice of means and no moment for deliberation,' could—so the American Government afterwards contended, and the representative of the British Government impliedly admitted[1]—justify what had occurred.

The excitement which the proceeding created throughout the United States increased the difficulties of the American Government. Martin Van Buren, who had entered on the Presidency in the previous spring, issued a temperate proclamation enjoining neutrality.[2] His Secretary, Forsyth, remonstrated at London. Palmerston, occupied with other matters nearer home, paid no heed to these distant complaints. The British Foreign Minister had definitely entered on the second part of his career at the Foreign Office. British interests had apparently been secured by the burning of the *Caroline*, and the natural susceptibilities of the inhabitants of the United States seemed hardly worth consideration.

McLeod's arrest.

And three years passed before anything occurred to disturb his equanimity. At the end of 1840, however, a Canadian, Alexander McLeod, visiting the State of

[1] *State Papers*, vol. xxix. p. 1138, and vol. xxx. p. 198.

[2] *Ann. Reg.*, 1838, Chron. p. 318.

CHAP. XXII. 1841.

New York on business, had the folly to boast publicly of the part which he had personally played in the destruction of the *Caroline*. The State authorities arrested him, threw him into Lockport, and charged him with murder. News of McLeod's arrest created intense excitement in both countries. A new President, General Harrison, was on the eve of entering on his office; his partisans declared that the eagle of the United States had cowered under the lion of England[1] during Van Buren's tenure of office, and they predicted that Harrison would initiate a bolder policy with McLeod's execution. But this, so Palmerston told the United States Minister in London, would be the signal for war.[2] The British Minister at Washington was instructed 'to demand, formally, in the name of the British Government, the immediate release of Mr. Alexander McLeod.'[3]

The demand forced Palmerston into an inconvenient avowal, that the attack on the *Caroline* 'was a transaction of a public character,' for which Britain itself, and not the persons engaged in it, must be held responsible. Whether it was 'a justifiable employment of force for the purpose of defending the British territory from the unprovoked attack of a band of British rebels and American pirates,' as the British Government thought, or 'a most unjustifiable invasion in time of peace of the territory of the United States,' as the American Government contended, the responsibility for it could not be charged upon the individuals concerned in it, but must be brought home to the State which ordered or approved it. Such an argument was necessary to save McLeod,[4] but it exposed Palmerston to a

[1] *Ann. Reg.*, 1841, Hist. p. 311.

[2] Bulwer's *Palmerston*, vol. iii. pp. 46, 49.

[3] *State Papers*, vol. xxix. p. 1127.

[4] The Secretary to the United States Government at once took steps to protect him. See his letter to Mr. Crittenden in *State Papers*, vol. xxix. p. 1139.

damaging retort. The minister who was styling the crew of the *Caroline* rebels and pirates was the same minister who had suspended the Foreign Enlistment Act and encouraged the formation of the British Legion in Spain. 'Yet it has not been imagined that England has at any time allowed her subjects to turn pirates.'[1] England, however, which had at last avowed her responsibility for the destruction of the *Caroline*, must now show 'upon what state of facts and what rules of national law, the act was to be defended.[2] The United States Government was, in short, willing to allow that McLeod could not be held responsible, but it did so by charging the responsibility home on the British ministry. The United States Government, indeed, could not stop the proceedings which the State of New York had commenced against McLeod. 'Persons confined under judicial process,' as its Secretary put it, 'can only be released by judicial process.'[3] But it could at least take care that McLeod should be provided with competent counsel, that his defence should rest on true grounds, and that his acquittal should thus be secured.[4]

The right of search.

In the meanwhile, however, another question had arisen between the two countries. For some years Great Britain had maintained a squadron on the coast of Africa, at a considerable sacrifice of lives and money. She had induced the statesmen of many foreign countries to agree that the cruisers of one country should have the right to search the merchantmen of other countries for the purpose of ascertaining whether they were engaged in the slave trade or not.[5] The United States Government, however, had not consented to this right of search, and British cruisers therefore had no

[1] *State Papers*, vol. xxix. p. 1134.
[2] *Ibid.*, p. 1137.
[3] *Ibid.*, p. 1130.
[4] There is a report of the trial in *Ann. Reg.*, 1841, Chron. p. 280.
[5] By the Quintuple Treaty, a treaty to which the United States refused to be a party, and which France refused to ratify. *State Papers*, vol. xxx. p. 269.

CHAP. XXII. 1841.

power to search American vessels. Under these circumstances, slavers naturally hoisted the American flag, and claimed the exemption from search which the Americans enjoyed. British officers, intent on carrying out their orders and on suppressing an infamous traffic, contended, however, that though they had no right to search an American vessel, they had power to examine a vessel under an American flag to see whether she was really American property or not. In March 1840 the officer in command of an American cruiser stationed at Sierra Leone assented to this contention. He formally agreed with a British officer 'to request each other to detain all vessels under American colours found to be fully equipped for and engaged in the slave trade.' He arranged that, if the vessels were proved to be American property, they should be handed over to an American cruiser; if Spanish, Portuguese, Brazilian, or English property, to a British cruiser.[1]

Fortified by the agreement, and stimulated by the known anxiety of the Government to suppress the slave trade, British cruisers on the African coast redoubled their exertions. They stopped suspicious vessels sailing under the American flag, examined their papers, and in some cases, where their suspicions were aroused, proceeded to search them. These proceedings soon produced complaints on both sides. The British Foreign Minister complained 'of the application of the flag of the United States for purposes of the slave trade.' The American Government complained of the conduct of British cruisers in unwarrantably searching and detaining American vessels.[2] The language of the statesmen who conducted the correspondence on either part became warmer as it proceeded. The United States Government, insisting that the right of visit was the

[1] *State Papers*, vol. xxix. p. 624.
[2] *Ibid.*, pp. 629-656, and vol. xxx. pp. 1128-1182.

right of search under another name, expressed its final determination 'to admit no cognisance to be taken by foreign ships of those belonging to their citizens and under their flag, either for the purpose of ascertaining whether their papers were genuine or forged, or whether the vessels were slavers or not.'[1] And the British Government, while directing its officers not to detain or meddle with American vessels, declared that the British Government never could or would subscribe to the doctrine that every slave-trading pirate could protect herself from search by merely hoisting a United States flag.[2]

While Palmerston was thus expressing his determination,[3] the debate was taking place which drove the Whigs from power. The ink with which his despatch was written was hardly dry before Melbourne retired from office, and Aberdeen replaced Palmerston in Downing Street. The new Foreign Secretary continued the correspondence, but he entirely changed the character of the negotiation by the conciliatory nature of his language. Palmerston's despatches had been more remarkable for the vigour of their arguments than for the courtesy of their tone. Aberdeen seemed above all things anxious that 'no harshness or asperity of expression should aggravate the difficulties of a subject at all times too liable to produce excitement and irritation.'[4]

Palmerston succeeded by Aberdeen.

A smooth answer turneth away wrath. Aberdeen's conciliatory language prepared the settlement of a controversy which at one time had seemed likely to lead to war. Peel decided on sending a special ambassador to the United States with full powers to negotiate on all the subjects on which differences had arisen. He chose for the mission a gentleman with singular qualifications for

[1] *State Papers*, vol. xxx. p. 1142. August, 1841.
[2] *Ibid.*, pp. 1150, 1153.
[3] The despatch is dated 27th of
[4] *Ibid.*, p. 1163.

CHAP. XXII. 1842.

Lord Ashburton's mission.

the duty. The first Lord Ashburton was known in England as a gentleman who, after a long and successful career in business and in Parliament, had filled high office in Peel's first ministry, and had been raised to the peerage by a title which had reminded his fellow-countrymen of his connection with one of the foremost of constitutional lawyers. He was known in the United States as the husband of an American lady of position. English by birth, yet sympathising with America from his marriage, he had done his best thirty years before to prevent the unfortunate war of 1812. Arrived at an age when most men desire rest, he braved the discomforts of an Atlantic voyage, and risked the mortification of possible failure, in the hope of rendering service to his country and his kindred.[1]

Ashburton left England in February; he arrived in the States in April 1842. The north-eastern boundary was naturally the subject which chiefly engaged his attention. It was his object to purchase concessions on the St. John by surrendering a small strip of territory further west. The discovery that the 45th parallel ran half a mile south of the line which had been fixed for it in 1798 had the effect of transferring to Canada many settlers who had regarded themselves as citizens of the United States. Ashburton ultimately offered to fix the accepted instead of the real parallel as the boundary between the two countries, provided that a strip of territory between the Francis and the St. John which commanded the military road between Quebec and St. John, and which had been assigned by the King of Holland to the United States, was surrendered to Canada. In money value the land which Ashburton surrendered was of more importance than the territory which he acquired, but the strip of ground which he gave up was given up to New York, Vermont, and other

[1] *State Papers*, vol. xxx. p. 142.

adjacent States; the strip which he acquired was taken from Maine and Massachusetts. The negotiation, in consequence, nearly failed from the reluctance of these States to sacrifice their own interests for the purpose of enriching other territories. Happily, however, the difficulty was ultimately obviated; the States of Maine and Massachusetts accepted a sum of money in return for their territory, and the question of the north-eastern boundary was finally settled.[1]

The settlement of this question removed the chief difficulty which the negotiators had to encounter. Ashburton, in justifying the destruction of the *Caroline*, admitted that the violation of American territory was 'a most serious fact,' and expressed regret that 'some explanation and apology for this occurrence was not immediately made.' Conciliatory language of this kind disarmed the American Government. 'Seeing that it is acknowledged,' wrote Webster, 'that there was a violation of the territory of the United States, and that you are instructed to say that your Government consider that

[1] The negotiation will be found in *State Papers*, vol. xxx. pp. 136–181. Cf. *Quarterly Review*, vol. lxxi. p. 573 *et seq.* The money payment from the United States to Maine and Massachusetts was arranged by Article V. of the treaty, which is printed in *State Papers*, vol. xxx. p. 360. During the progress of the negotiation Jared Sparks, an American historian, said that he discovered at Paris a letter from Franklin to Vergennes, and a map of the disputed territory on which Franklin had marked with a strong red line the boundary of the two countries, and this boundary gave the whole land in dispute to England. The United States Government kept the discovery a secret until after the treaty was signed, and then used it to induce the Senate to ratify the bargain. *Croker*, vol. ii. pp. 393–403. Oddly enough, the British Government, which had made search for the map at Paris in 1826, and which now made fresh search, could find no trace either of map or letter, though it discovered another map, which was also marked with a red line, and which supported the American claim. *Ibid.*, pp. 400, 403. But the strange story does not end here; for Lemon, while working in the State Paper Office in London, found a third map, also marked with a faint red line, which he believed, and which he persuaded others to believe, was the real map. The ministry attached so much importance to this discovery that they sent full particulars of it to Ashburton by a special vessel. *Greville*, second part, vol. ii. p. 102. It is worth adding that the British ministry acted with this map just as it is the fashion to blame the American Government for acting with its map. They placed it under lock and key, and kept the discovery a profound secret.

CHAP. XXII. 1842.

as a most serious occurrence; seeing finally that it is now admitted that an explanation and apology for this violation was due at the time; the President is content to receive these acknowledgments and assurances in the conciliatory spirit which marks your lordship's letter, and will make this subject, as a complaint of violation of territory, the topic of no further discussion between the two Governments.'[1] With equal ease the embarrassing question of the right of search was compromised. The British claim was dropped; the two Governments agreed to maintain sufficient and adequate squadrons on the coast of Africa to enforce separately and respectively the laws, rights, and obligations of each for the suppression of the slave trade, and they undertook to unite in all becoming representations and remonstrances with any and all the powers within whose dominions markets for the sale of slaves were allowed to exist.[2]

The Ashburton Treaty.

Ashburton might fairly boast that he had composed the differences which had agitated two great and kindred nations. Peacemakers, however, are rarely appreciated at their true worth. The treaty which Ashburton and Webster had signed was publicly denounced in the United States as 'a humiliating surrender;' in this country it was described in a Tory periodical as a shameful capitulation; it was attacked by a Liberal orator as the most ignominious treaty ever made by any minister.[3] 'Nobody,' said Palmerston afterwards in Parliament, 'thinks it a good treaty; there is nobody who does not think it a bad and disadvantageous bargain for England.'[4] Whatever everybody might think, however, few people were prepared formally to condemn the work. On Palmerston's motion the House of

[1] *State Papers*, vol. xxx. pp. 199, 201.

[2] See Articles VIII. and IX. of treaty.

[3] *Quarterly Review*, vol. lxxi. p. 574, and *Hansard*, vol. lxvi. p. 113.

[4] *Hansard*, vol. lxvii. p. 1163.

Commons devoted two nights to its consideration. But, on the second night, the discussion came to an abrupt termination by the House being counted out. A little later the Lords, on Brougham's motion, voted their thanks and their approval, and in the beginning of May, a vote of thanks to Ashburton was accorded by the Commons.[1]

Yet, well as Ashburton had done his work, peace was not assured. Webster and he had fixed the boundary on the eastern side of the American continent. The boundary on the western slopes of the Rocky Mountains was still uncertain.

The Oregon dispute.

The entire empire of the Pacific coast of North America was originally claimed by Russia and Spain. Russian jurisdiction extended over the whole coast to 54°40′ north latitude; the nominal authority of Spain stretched southwards from this parallel over a territory inhabited only by the Indian and the buffalo. In 1788, Meares, a British subject sailing under a Portuguese flag, temporarily settled at Nootka Sound, on Vancouver Island, for the purpose of building a vessel. The Spanish Viceroy of Mexico, in 1789, took possession of the settlement, and Meares appealed to the British Government. England was strong, Spain was weak; and the Spanish Government consented to restore the building which it had taken, to pay Meares an indemnity, and to agree that the subjects both of Spain and England should in future be undisturbed and unmolested in navigating and fishing the Pacific seas or in settling on the unoccupied Pacific shores. In 1795 Spain voluntarily retired from Nootka Sound.[2] In 1818 England and the United States agreed at Ghent to make the 49th parallel their common boundary from

[1] For Palmerston's motion, *Hansard*, vol. lxvii. pp. 1162, 1200; for the count out, *ibid.*, p. 1313; for Brougham's motion, *ibid.*, vol. lxviii. p. 599; for Hume's motion, *ibid.*, p. 1159.

[2] *State Papers*, vol. xxxiv. p. 94.

CHAP. XXII. 1842.

the Rocky Mountains on the west to the Lake of the Woods on the east. But they failed to arrive at any agreement respecting their boundary on the Pacific slope, and decided to hold the territory in joint occupation. Twelve months afterwards, the United States acquired, by the treaty of Florida, the whole of the rights of Spain north of the 42nd parallel.

This acquisition, however, though it gave the United States such rights as Spain had previously exercised, did not materially strengthen the American claim. British and American statesmen[1] who had ignored the rights of Spain while they were framing the treaty of 1818, could hardly be expected to admit, or entitled to assert, the validity of the Spanish title. In default of a Spanish title, each nation had to urge the discoveries of its own subjects. It was beyond all question that Meares, a British subject, had settled at Nootka Sound in 1788; that Captain Vancouver, another British subject, had sailed through the straits which separate Vancouver Island from the mainland in 1792; and that Sir Alexander Mackenzie, another British subject, had, about the same time, followed the course of the Fraser River from its source to the sea. It was equally beyond doubt that Captain Gray, an American subject, had anchored in the Columbia River in the same year, and that in 1805 two other American subjects, Lewis and Clarke, had crossed the Rocky Mountains, discovered the head-waters of the Columbia, and followed it to the sea.[2] On the faith of these discoveries the Americans claimed the whole territory in dispute, or at any rate the whole of the Columbia Valley. The British, on the contrary, relying on the discoveries of Meares, Vancouver, and Mackenzie, insisted that portions of the territory belonged to the British Crown.

[1] The arrangement of 1818 lasted till 1828: it was then continued with a year's notice on either side.

[2] *State Papers*, vol. xxxiv. p. 107, 108.

With much wisdom Aberdeen desired to seize the opportunity which the conclusion of the Ashburton treaty afforded for terminating every difference, and he accordingly invited the American Government to enter into a new negotiation respecting the western boundary. In November 1842, Webster, on the part of the United States, assented to this suggestion, and in December the President, in his annual Message to Congress, expressed a desire for a settlement, but omitted to mention that the British Government was already urging agreement on the subject.[1] The impression was thus produced that America was promoting, and Britain obstructing, the conclusion of an arrangement; and some Americans, conscious of the growing importance of the disputed territory, decided on dealing with the matter without further negotiation. In 1843 a bill was introduced into the Senate of the United States for the organisation and occupation of the Oregon territory. It passed the Senate by a small majority, but it was abandoned in the House of Representatives.[2]

In December 1843 the President again drew attention to the dispute, declaring that he had 'submitted to the British Government propositions for its settlement,' but again omitting to mention that the British Government had originated the negotiation. The discourtesy of the President, however, did not diminish Aberdeen's anxiety to effect a reconciliation. Pakenham, the British Minister at Washington, was told to make the negotiation one of his 'first objects;'[3] and Upshur, the American Secretary of State, assured him of his desire to carry on the discussion in a fair spirit of compromise, and to avoid anything that might produce a quarrel.[4] Unfortunately, almost immediately after making this promise, Upshur

[1] *State Papers*, vol. xxxiv. pp. 49–55.
[2] *Ann. Reg.*, 1843, Hist. p. 316.
[3] *State Papers*, vol. xxxiv. p. 56.
[4] 'If we should not succeed in effecting an arrangement, there shall be no quarrel.' *Ibid.*, p. 58.

CHAP. XXII. 1844.

died;[1] his successor, Calhoun, immersed in other business, had either little leisure or little disposition for the negotiation. Towards the close of August 1844, Pakenham and he met to talk, and to separate. The British Government proposed, on its part, that the disputed territory should be divided about equally between the two countries by following the 49th parallel from the Rocky Mountains to the Columbia, the Columbia from this point to the sea. The American Government, on the contrary, claimed the whole Valley of the Columbia, and, affecting to believe that negotiation had not exhausted its resources, declined an offer, which Pakenham was instructed to make, to refer the matter to an arbitrator.

In the spring of 1845 President Tyler completed his four years' tenure of office. His successor, President Polk, owing his election to the Democratic party, and anxious to gratify his supporters by an uncompromising policy, declared in an inaugural address 'that it was his duty to assert and maintain, by all constitutional means, the right of the United States to that portion of our territory which lies beyond the Rocky Mountains. Our title to the country of the Oregon is clear and unquestionable, and already are our people preparing to perfect that title by occupying it with their wives and children.'[2] These rash words, spoken in Washington on the 3rd, reached England on the 26th of March. They brought the two great transatlantic countries to the verge of war. The *Times* immediately declared[3] that 'Oregon will never be wrested from the British Crown, to which it belongs, but by war.' Aberdeen in the Lords, Peel in the Commons, repeated the same language. 'I can only say that we possess rights which in our opinion are clear and unquestionable'; and by the bless-

[1] *State Papers*, vol. xxxiv. p. 61.
[2] *Ann. Reg.*, 1845, Hist. p. 279.
[3] *Times*, 28th of March, 1845.

ing of God, and with your support, these rights we are fully prepared to maintain.'[1]

Fortunately, however, for humanity, neither England nor America was prepared to commit the grave crime of fighting about a territory still inhabited by only a handful of people. The words which the President had uttered were, it was recollected, spoken before the formation of his Cabinet. Buchanan, whom he appointed Secretary of State in succession to Calhoun, showed no disposition to imitate his chief's example. With the President's authority, the negotiation which had been temporarily interrupted was renewed, and the American Government suggested that the 49th parallel should be made the frontier line from the Rocky Mountains to the Pacific, but that any ports south of that line on Vancouver Island which Great Britain might select should be free to British subjects.[2] Unfortunately, Pakenham refused the American proposal,[3] and the American Government, annoyed at its unceremonious rejection, at once withdrew it.[4] Still more unfortunately, the President, in December 1845, declared that, compromise having failed, the time had arrived for terminating the convention which sanctioned the joint occupation of the disputed territory;[5] and the British ministry formally decided on increasing the army and navy estimates. Both Governments were drifting on currents which threatened to bear them into collision with each other.

For the moment the question of peace or war rested with the United States. The Senate passed a resolution in April 1846, authorising the President to give the necessary notice at his discretion for the

[1] The words are Aberdeen's, *Hansard*, vol. lxxix. p. 124, but Peel used similar language, *ibid.*, p. 199. War seemed so likely that Williams, a Radical member, forbore from moving a reduction in the army estimates. *Ibid.*, p. 210.

[2] *State Papers*, vol xxxiv. p. 101.

[3] *Ibid.*, p. 110. [4] *Ibid.*, p. 130.

[5] *Ibid.*, p. 134.

CHAP. XXII. 1846.

termination of the Convention of 1827. But in doing so, it avowed a hope that 'the attention of the Governments of both countries may be the more earnestly and immediately directed to renewed efforts for the amicable settlement of all their differences and disputes in respect to the said territory. The House of Representatives, however, in accepting the resolution struck out this paragraph, substituted a less friendly one, and made it obligatory, instead of discretionary, on the President to give notice of the termination of the Convention. Fortunately, both Houses agreed to refer the matter to a joint committee, which adopted words acceptable to both. The discretion of the President was restored; and both Houses consented to hope that 'the attention of the Governments of both countries may be more earnestly directed to the adoption of all proper measures for the speedy and amicable adjustment of the difficulties and disputes relating to the said territory.'[1]

The attitude of Senate and Representatives, however, would not of itself have insured a conclusion of the dispute. An arrangement was secured by the wise forbearance of Aberdeen. He had the good sense to see that the friendship of the United States was worth more to England than a few hundred square miles of unsettled territory; and he drew up some distinct provisions for settling the question which he offered to incorporate in a treaty. These provisions made the 49th parallel the boundary line between the two countries on the mainland, but they reserved the whole of Vancouver Island for the Crown of Britain, and they made the navigation of the Columbia free to the subjects of both countries. The American Government accepted this

[1] The House of Representatives wished the paragraph to run 'that the attention of the Government may be the more earnestly directed to the importance of a speedy adjustment of all the differences and disputes in respect of the said territory.' *Ann. Reg.* 1846, Hist. p. 325.

offer, and the difficulty, which had been a source of danger for thirty years, was in this way removed.

There is a roundness and completeness about the acts of the Peel ministry which must strike the most superficial critic. The domestic policy of the five years during which it endured forms a complete and continuous chapter. Its foreign policy is similarly complete. News that the United States had accepted the British conditions reached England on the very day on which the ministry announced its retirement; and Aberdeen had the satisfaction of stating the termination of the controversy immediately before Wellington rose to communicate the fall of the Administration.[1]

France.

If the arrangement of this dispute had been the only advantage which this country owed to Aberdeen, his administration of the Foreign Office should have been remembered with gratitude. In another quarter, however, he rendered equal service. In 1841 France was angry at the check which she had received from Palmerston in the East.[2] If Melbourne had remained in office a good understanding between French and English would have been almost impossible. A change of ministers in both countries happily enabled differences to be arranged. Guizot was a warm admirer of Peel, and Peel's most illustrious lieutenant had a sincere respect for France. 'Il y avait,' wrote Guizot, 'entre les deux ministères, des causes de sympathie plus profondes que les bons rapports personnels; Sir Robert Peel et ses collégues étaient des conservateurs devenus libéraux, nous étions des libéraux qui devenaient conservateurs.'[3] 'Moi, j'ai une ancienne idée politique bien simple, mais bien arrêtée,' said Wellington to the French Minister in London; 'c'est qu'on

[1] *Hansard*, vol. lxxxvii. p. 1037.

[2] 'Le Traité du 15 Juillet et notre échec dans la question d'Egypte avaient réveillé en France les vieux sentiments de méfiance et d'hostilité contre l'Angleterre.' *Guizot*, vol. vi. p. 156.

[3] *Ibid.*, p. 146.

CHAP. XXII. 1843.

ne peut rien faire dans le monde pacifiquement qu'avec la France.'[1]

The better understanding which was thus promoted by the ministers was confirmed by a visit which the Queen paid to France in September 1843. Louis Philippe, after a reign of thirteen years, was still treated as a 'parvenu' by Nicholas of Russia.[2] The King of the French, therefore, derived real advantages from a friendly visit of 'the most powerful sovereign in Europe.'[3] Guizot and Aberdeen seized the opportunity to talk over everything which concerned the two countries. Thenceforward they were not merely friends, they were colleagues. Palmerston had approached every crisis with a desire to win a fresh diplomatic victory; Guizot and Aberdeen were always actuated by a wish to preserve the good understanding which they had happily established.[4]

The Tahiti incident.

Never was understanding more opportune. While Guizot and Aberdeen were discussing affairs at Château d'Eu, events were in progress in another hemisphere, which, under different guidance, might have produced war between France and England. At the end of 1839 France had decided to acquire some island in the Southern Hemisphere, suitable as a naval station for its vessels and a penal settlement for its convicts. A French officer, Dupetit Thouars, who had recently returned from a long expeditionary voyage in a French frigate, recommended the Marquesas Islands for the purpose. The French Government adopted the recommendation, promoted Thouars, and sent him in

[1] *Guizot*, vol. v. p. 268, and cf. a similar declaration in vol. vi. p. 103.

[2] He refused to address him as his brother (*ibid.*, p. 335,) or to send an ambassador to the court of France. See Mr. H. Reeve's article on Ambassadors, *Encyclopædia Britannica*, 9th edition.

[3] The expression is the Prince Consort's; see Sir T. Martin's *Life*, vol. i. p. 182.

[4] 'Rien ne gâte plus les grandes affaires que les petites querelles,' was Guizot's wise axiom. *Guizot*, vol. vii. p. 441.

August 1841, in the *Reine Blanche*, to take possession of them in the name of France.

1842.

The *Reine Blanche* reached the Marquesas Islands in the spring of 1842. Dupetit Thouars took possession of them, received the submission of the chiefs, and, leaving a small garrison upon their shores and a corvette in the roads, sailed away, his instructions fulfilled and his mission completed. Thouars, however, was one of those officers who are not satisfied with literal obedience to their orders. South-west of the Marquesas Islands are the Society Islands, among which Tahiti is regarded as the 'pearl of the archipelago' and the 'queen of the Southern Seas.' Without instructions from his Government, Thouars took upon himself to deal with Tahiti.

Thouars and Queen Pomare.

Tahiti, like the Marquesas Islands, was nominally independent. But its queen, Pomare, was under the influence of some English missionaries. The chief of these, Pritchard, a few years before, had received a commission as consul from Palmerston. On several occasions, at Pritchard's instigation, Pomare had driven French Roman Catholic missionaries from her shores. Thouars himself, four years before, had forced Pomare to pay two of these missionaries an indemnity of 2,000 piastres. Since this occurred, however, several French vessels, touching at Tahiti, had encountered what Guizot called 'un mauvais vouloir vexatoire.' What could be more natural than that a zealous French officer should touch at Tahiti, renew his remonstrances, and insist on a fresh indemnity?

Poor Pomare, pressed with this demand in 1842, had nowhere to turn for help. Pritchard happened to be away, and she was called on to pay 10,000 piastres in twenty-four hours, or to submit to the occupation of her kingdom. 'Since we cannot govern by ourselves in the present state of things,' so she pathetically wrote, 'without risking the loss of our islands, our liberty, and

CHAP. XXII. 1842.

our authority, we invite the King of the French to take us under his protection.' Thouars at once accepted, in the name of Louis Philippe, the offer which Pomare thus made. He arranged for the appointment of a provisional government, composed of the French consul and two lieutenants of the *Reine Blanche*, and for the hoisting of the French colours above the standard of Tahiti.[1]

Thouars' action ratified.

In ratifying Thouars' unauthorised proceedings, Guizot was at pains to assure the British Government that France would protect the Protestant missionaries and respect religious freedom; and in the course of a debate on a proposal for an extraordinary credit of about 240,000*l.* for the support of the French establishments in the Pacific, he went out of his way to pay a very high compliment to the English missionaries. Aberdeen, satisfied with the assurances that he received, told the Admiralty officially, that 'although her Majesty's Government have not acknowledged the right of France to assume and exercise a protectorship over the Society Islands, they nevertheless do not intend to call that right in question.'[2]

Thus a delicate and disagreeable subject might possibly have been forgotten, if Britain and France had been represented in Tahiti by agents with as much discretion as zeal. Such, however, was not the character of the agent of either country. In February 1843, Consul Pritchard, returning to his post, found Pomare driven from her capital and degraded from her authority. He recollected that Canning in 1827, Palmerston in 1841, and Aberdeen himself in 1842, had given him general instructions[3] to extend his good offices to Queen Pomare.

Pritchard restores Pomare's authority.

[1] Guizot's *Mémoires*, vol. vii. pp. 43–50. *State Papers*, vol. xxxi. pp. 937–945.

[2] *Ibid.*, pp. 948, 951, 953, and *Guizot*, vol. vii. pp. 55, 59.

[3] Canning had promised the late king 'to afford to yourself and your dominions all such protection as his Majesty can grant to a friendly power at so remote a distance from his own kingdom.' Palmerston had told Pritchard that her

On the faith of these orders, and with the aid of H.M.S. *Vindictive*, Pritchard restored Pomare to her own residence. The provisional government which Thouars had established found itself powerless, and the influence of Pritchard was again supreme.

If these events had occurred within a dozen days' sail of England, only slight inconvenience would have resulted from them. But in 1843 it took the best part of a year to carry a letter from Tahiti to England, and its answer from England to Tahiti. The despatch in which Pritchard announced his proceedings in March only reached England in August. The reply, in which he was told that he had 'misinterpreted' his orders,[1] was not received by him till he was no longer free either to carry out or to disobey his instructions. The agent of England, indeed, soon saw the downfall of his brief authority. In November 1843 the agent of France reappeared on the little stage. Angry at the turn which events had taken, he committed an act 'violent et contraire aux plus simples maximes du droit public':[2] he deposed Pomare, and annexed the Society Islands to France.

The Society Islands annexed to France.

Aberdeen, in March 1843, had disapproved Pritchard; Guizot, in February 1844, disavowed Thouars. He published a decree in the *Moniteur*, ordering the simple execution of the treaty of 1842, and induced the French Chamber, after a violent debate, to approve his conduct in doing so.[3] But, before the decision of the French ministry reached Tahiti, the course of events had been again altered. Pritchard had prevailed on Pomare to embark on board an English vessel; he had

Majesty 'will always be glad to give the protection of her good offices to Queen Pomare in any differences which may arise between Queen Pomare and another power.' Aberdeen had told her that her Majesty's Government continues to take that interest in the prosperity of the islands which has heretofore been professed. *State Papers*, vol. xxxi. p. 955.

[1] *Ibid.*, p. 960.

[2] *Guizot*, vol. vii. p. 65.

[3] *Ibid.*, vol. vii. pp. 68, 74.

CHAP. XXII. 1844.

hauled down his flag, and announced the cessation of his functions as consul; he had promised the nation armed assistance from Great Britain, and, assuming the *rôle* of an Isaiah, he had desired the people to pray for such deliverance as Hezekiah received.[1]

Pritchard's arrest.

The French were naturally irritated at this conduct. A broil, on the night of the 2nd of March, in the streets of Papeiti, during which a French sailor was the object of attack, gave them an excuse for action. On the following morning D'Aubigny, the French commandant, declared Papeiti in a state of siege, and arrested Pritchard.[2] Four days afterwards D'Aubigny was superseded by Bruat, the Governor of the Islands, who saw the error which his subordinate had committed, transferred Pritchard from a blockhouse where he had been temporarily confined to a French man-of-war, and asked Captain Gordon, the commander of the *Cormorant*, an English vessel, to receive him on board, and to carry him and his family from Tahiti. Pritchard accepted his freedom on these conditions, sailed in the *Cormorant* to Valparaiso, and from thence found his way to England.[3]

News of these proceedings, brought by Pritchard himself to England in July 1844, was received with an universal shout of indignation. Tahiti had been the cradle in which English missionary effort had been nurtured; many of the earliest missionaries had laid down their lives in the cause to which they had consecrated themselves; their pure example and zealous conduct had undoubtedly produced the most salutary change in the conduct of the islanders. Even Frenchmen were ready enough to do justice to the excellent effects which had resulted from their labours. English Protestants unanimously thought that the interests of the

[1] *Guizot*, vol. vii. p. 75. For questions on the incident in Parliament, see *Hansard*, vol. lxxiii. pp. 328, 435.

[2] *Guizot*, vol. vii., pp. 77–79.

[3] *Ibid.*, p. 81.

Excitement in England.

Church of England were to be sacrificed to those of the Church of Rome. Guizot in 1843 had casually inquired of Aberdeen at Château d'Eu, the strength of 'the saints' in the House of Commons. 'When the slave trade and the Protestant religion are concerned,' was Aberdeen's answer, 'they are all saints.'[1] In 1844 the French minister experienced the truth of Aberdeen's statement. 'The clubs, the newspapers, the drawing-rooms, the Parliament,'[2] were furious at the conduct of the French authorities. Peel himself, speaking as First Minister, declared that 'a gross outrage, accompanied with gross indignity,' had been committed on the British consul. He presumed that France would at once make the reparation which Britain had a right to require.[3]

Peel's speech, received with cheers, was one of the least creditable which he ever made. It brought France and England to the verge of war, and it did not even place the quarrel on accurate grounds. Pritchard, at the time of his arrest, was no longer British consul in Tahiti. He had voluntarily declared his functions at an end when Pomare was deposed. The outrage which Thouars had committed, therefore, was on a British citizen and not on a British consul;[4] it constituted a private wrong rather than a public injury. Peel was forced to explain away his language, and to say that the reports of his speech were incorrect.[5] But this admission did not moderate his determination or that of the Cabinet. The ministry insisted that Pritchard should be allowed to return to Tahiti for a time; and that D'Aubigny and the French consul should be recalled.

[1] *Guizot*, vol. vi. p. 195.

[2] Guizot's own expression in his Memoir of *Peel*, p. 166.

[3] *Hansard*, vol. lxxvi. p. 1575. Sir T. Martin reports Peel's statement in even stronger language. *Life of Prince Consort*, vol. i. p. 229.

[4] This is clearly explained by Aberdeen. *Hans.*, lxxvi. p. 1643. But errors once made have a tendency to perpetuate themselves, and Mr. Evelyn Ashley falls into the same mistake. *Palmerston*, vol. i. p. 435.

[5] *Guizot*, vol. vii. p. 89.

CHAP. XXII. 1844.

Some of the Cabinet wished to despatch Pritchard in a man-of-war, with orders to remain at Tahiti till the French consul was withdrawn.[1]

If the Cabinet had insisted on this demand, war would probably have ensued between France and England. Guizot, indeed, declared privately to Brougham, 'Pour la guerre il faut que les fous soient devenus les maîtres, ou que les sages soient devenus fous;'[2] but in national crises the conversion of the 'sages' into the 'fous' is a matter of ordinary occurrence. Luckily, on this occasion, the gods, instead of dementing two nations, made Pritchard himself unravel the diplomatic tangle. He had no taste for a journey from England to Tahiti and from Tahiti to England, for the sake of satisfying his countrymen's susceptibilities. It naturally occurred to him that it would be more profitable to obtain an indemnity from France than to undertake two long and barren voyages. He threw out the hint to Aberdeen, who conveyed it to the French Ambassador. The Government of Louis Philippe cordially adopted a suggestion which terminated an embarrassing quarrel with England; and the Queen was able to announce, when she prorogued Parliament, the termination of the dispute.[3]

The matter settled.

Its settlement enabled Louis Philippe to return the Queen's visit. In October 1844 he passed half a dozen days at Windsor.[4] His presence in England pleased both Court and people, and obliterated the unfortunate

[1] *Guizot*, vol. vii. pp. 90, 91.

[2] Arnould's *Denman*, vol. ii. p. 167.

[3] *Guizot*, vol. vii. pp. 98–104. The difficulty was not over for the French Government. The French Chamber only approved the course which the French ministry had adopted by a narrow majority of eight, 213 votes to 205, *ibid.*, p. 113, and Louis Philippe undertook to pay the indemnity out of his civil list, *ibid.*, p. 107. It is difficult to complain of an arrangement which satisfied Peel, Guizot, and Pritchard, but perhaps the future historian of Christianity may be tempted to inquire what would have been the fate of the Christian religion if Paul, supported by the whole power of Rome, had received a pecuniary indemnity for his expulsion from Antioch.

[4] Sir T. Martin's *Prince Consort*, vol. i. pp. 235–242.

impression which the wretched squabble about Tahiti had created. The visit was the more timely because fresh events were occurring pregnant with peril. An obscure quarrel into which France had in the first instance been forced in Africa had been suffered to assume proportions of international moment.

Algiers.

An indignity offered to the French consul of the Dey of Algiers had led in 1827 to the despatch of a French squadron to the African coast. An ineffective blockade was followed in 1830 by more decisive action. A French army was sent to Africa,[1] and Algiers was taken. Before the expedition sailed the French verbally assured the British that they contemplated neither territorial acquisition nor aggrandisement.[2] After Algiers fell, opinion in France loudly demanded its retention.[3] The Government of July dared not retire from a possession which had been taken by the Government of Charles X. It remained at Algiers; it even pushed its arms to Bona on the east, and to Oran on the west. But its generals made no progress. Bona was abandoned, Oran was lost, and the French found themselves unsafe beyond the immediate boundaries of Algiers.

These unexpected difficulties made withdrawal from Algeria more and more improbable. Few nations have the grace to retire after victory, but perhaps in 1833 no nation would willingly have retired after failure. Surrounded by unexpected difficulties, the French boldly avowed their determination to remain in Algeria. The British ministry acquiesced in their doing so, provided

[1] The French in the first instance desired to move in conjunction with Mehemet Ali. But Mehemet was dissuaded from joining the expedition by Aberdeen's remonstrances. See Ellenborough's *Diary*, vol. ii. p. 186.

[2] *Wellington's Despatches*, vol. vi. p. 579 and vol. vii. p. 54, and *Ellenborough's Diary*, vol. ii. p. 226.

[3] *Wellington's Despatches*, vol. vii. p. 121. The correspondence is reprinted in *Ann. Reg.*, 1833, Chron. pp. 354–371.

CHAP. XXII. 1841.

they did not extend their conquests to Tunis on one side or to Morocco on the other.

Ill success of the French.

During the next ten years—from 1831 to 1841—the French were unable to make much progress. The severity of one of their earliest commanders—the Duc de Rovigo—stimulated opposition, and the Arabs found an active and able leader in the famous Abd-el-Kader. Peace was frequently concluded between the combatants, but each peace only proved a temporary truce, and was followed by a renewal of hostilities which did not always or even usually terminate to French advantage. Wearied with a struggle which was at once costly, bloody, and inglorious, the Government of Guizot at last decided on taking effectual steps for concluding it. Bugeaud, an officer who had shown ability in the previous campaign, was invested with the supreme command and despatched to the seat of warfare. The French force in the colony [1] was gradually increased from 60,000 to 100,000 men. Bugeaud, despite the remonstrances of his officers, stripped his troops of artillery and baggage, and organised them in light flying columns.[2] His plan of warfare was attended with remarkable success. The Arabs were everywhere worsted, their towns were taken, their armies broken up, and Abd-el-Kader sought a refuge in Morocco.

Complications with Morocco.

This circumstance unluckily introduced fresh complications. Abd-el-Kader used the neutral territory to which he had retreated as a recruiting ground. The Moors who enlisted under his orders crossed the frontier, and attacked the French outposts. Prisoners taken by the French said that a member of the royal family

[1] *Guizot*, vol. vii. p. 127. There is an excellent short history of the French in Algeria in the new edition of the *Encyclopædia Britannica*, but the account in the text is mainly founded on Louis Blanc, *L'Histoire de Dix Ans*, vol. v. pp. 137–175, and Guizot's *Mémoires*, vol. vii. pp. 119–238.

[2] This order was originally given by Bugeaud in 1836 when he held an inferior command. Guizot reprints it in his *Mémoires*, vol. vii. p. 129.

of Morocco,[1] specially despatched by a son of the Emperor, was present with the Moorish troops.

In the presence of these complications, the French Government ordered its consul at Tangiers to demand from the Emperor of Morocco a disavowal of the raid on its territory, the recall of the Moorish troops, and the dismissal of Abd-el-Kader from Moorish dominions. It instructed him to assure the Emperor that France had no desire to seize an inch of his territory, but to remind him that, if the Emperor could not protect his frontier, France, in self-defence, must take the task into her own hands. These instructions, published in London in June 1844, made a profound impression on ministry and public. Morocco had intimate trade relations with England; Gibraltar drew many of her supplies from Tangiers; and the British people, with the experience of Algeria before them, were justified in concluding that war between France and Morocco would be followed by the annexation of Morocco to France. The excitement was increased by the nomination of one of Louis Philippe's sons, the Prince de Joinville, to the command of the squadron which was stationed off the Moorish coasts. In England the Prince was chiefly known as the author of a pamphlet complaining of the inferiority of the French to the British navy. Men in high position seriously believed that the Prince was urging his country to build steam vessels with a view to war with England.[2] They affected to regard his appointment as the first step to the adoption of his views.[3]

If under such circumstances Palmerston had been at the Foreign Office, the incidents in Tahiti and

[1] Guizot's *Mémoires*, vol. vii. p. 146.

[2] It is worth while referring on this point to *Hansard*, vol. lxxvi. p. 975, vol. lxxxi. p. 505 *et seq.*, but cf. the sensible remarks of Cobden in *Political Writings*, vol. ii. p. 224. The pamphlet is entitled *Note sur les forces navales de la France*, Paris, 1844.

[3] *Guizot*, vol. vii. p. 152.

CHAP. XXII. 1841.

Morocco might possibly have led to war. Happily Aberdeen was of a different temperament. Opposed in 1830 to the French occupation of Algeria, he had the wisdom in 1841 to accept it as *un fait accompli*;[1] and to see in 1844 that the French, if they were to remain in Algeria, could not tolerate the conduct of Morocco. Instead, therefore, of indulging in puerile complaints of proceedings which were unavoidable, he directed the British consul at Tangiers to use all his influence to induce the Emperor to give way; he instructed the British Admiral on the coast to refrain from any action which might induce the Moors to think that they would receive either material or moral support from Britain.[2] When the Moorish Emperor declined to yield, and the French were forced to order Bugeaud to cover the frontier and Joinville to bombard Tangiers, Aberdeen almost alone in the Cabinet defended a policy of peace. Happily, the submission of the Moorish Court assisted his arguments. France was able, her objects gained, to retire from Morocco, and the British people recovered from the panic into which they had temporarily fallen.

The bombardment of Tangiers.

This happy result was due to the moderation of the two great men who were responsible for the foreign policy of France and England. They received the usual reward. 'The Opposition in England attacked Lord Aberdeen with reproaches;' 'the Opposition in France denounced Guizot's foreign policy as basely subservient to England.'[3] Happily, both ministers were

The *entente cordiale* between France and England.

[1] For Aberdeen's exact position, see *State Papers*, vol. xxx p. 359, and *Hansard*, vol. lxi. p. 124.

[2] *Guizot*, vol. vii. pp. 157, 158.

[3] These expressions are Mr. H. Reeve's, in the article on Guizot in *Encyclopædia Britannica*. I have endeavoured throughout this chapter to distinguish the foreign policy of Aberdeen from that of Palmerston. There is no part of our recent history of which people are so profoundly ignorant as Aberdeen's foreign policy. Even historians like Mr. Kinglake declare that Lord Aberdeen was 'much bound by what his predecessor had been doing before him; and, speaking roughly, it may be said that from the spring of 1835 until the close of 1851, our foreign policy bore the impress of Lord Palmerston's mind.' *History of Crimean War*, vol. ii. p. 100, *note*.

indifferent to the sneers with which their system was assailed, and both of them were steadfast in maintaining the good understanding between the two nations which they had been themselves instrumental in promoting.

In consequence, for the first and perhaps the only time in history, the foreign affairs of the two greatest nations of Europe were conducted with the most constant deference to each other's views. It is hardly too much to say that neither Guizot nor Aberdeen ever took a step without first ascertaining the other's wishes, and that, in consequence, absolute harmony prevailed between the Foreign Offices of the two countries. During the whole time, moreover, throughout which this agreement endured, a question was under constant discussion on which the two ministers thought differently, and on which the traditions of their two departments, and the apparent interests of their two countries, were opposed. Yet, under these circumstances and amidst these difficulties, Guizot and Aberdeen maintained their accord, and agreed to subordinate everything to their paramount determination to maintain peace.

The state of Spain.

Spain had at last escaped from the terrible sufferings of a protracted civil war,[1] but the defeat of the Carlists in 1840 was followed by other dangers. A revolution broke out in Madrid; Espartero, the general who had brought the civil war to a successful ending, succeeded in restoring order; the Queen Mother, Christina, finding her own authority slipping from her, withdrew into France; and early in 1841 Espartero became Regent of Spain.

Foreign nations had no concern with Spanish politics. However sincerely they might regret disturbances which were discouraging enterprise and arresting improvement, they had no reason and no right to interfere in the struggle between Moderados and Progressists.

[1] See *ante*, vol. iii. pp. 615–625.

CHAP. XXII. 1841.

Unfortunately, France and England had for years past thought otherwise. Ever since the struggle between Torreno and Mendizabal in 1835, the Moderados had looked to France, the Progressists to England.[1] In the eyes of diplomacy the retirement of Christina, who was identified with the Moderados, was a blow to France; the accession of Espartero, the chief of the Progressists, a triumph for England.

The mission of M. de Salvandy.

An unlucky quarrel emphasised this difference. In 1841 M. de Salvandy was sent as Ambassador of France to the Spanish Court. He arrived in Spain towards the close of the year, and found himself in the presence of an unexpected dilemma. The Spanish Cabinet declared that he must deliver his credentials to Espartero as Regent, and not to Isabella as Queen. The decision was sure to agitate the teacup which diplomatists confound with the world. It is the peculiar privilege of an ambassador to have a right of access to the Sovereign himself; and this privilege was so firmly established, that in 1715 the Spanish Ambassador at Paris had presented his credentials to Louis XV., a little child only five years old. There could be no doubt, therefore, that Salvandy had a right to a personal audience with Isabella, who had more than twice the years of Louis XV. in 1715. Salvandy thought that the slight upon himself should be avenged by the despatch of an army to the Pyrenees, or at any rate by the interruption of diplomatic relations with Spain.[2] His views were confirmed by the circumstance that he attributed the whole embarrassment to a British intrigue. Aston, a diplomatist of the school of Palmerston, who had succeeded Villiers at Madrid, probably thought that the chief object of his mission was to exaggerate the influence of England and to diminish the power of France. Instead of endeavouring to smooth the diffi-

The British Minister at Madrid.

[1] See *ante*, vol. iii. p. 621.

[2] *Guizot*, vol. vi. p. 328.

culty, he threw his weight into the scale against the French Ambassador. He forgot to reflect that he was no longer under Palmerston's orders, and he received as his reward from Aberdeen one of the plainest reproofs ever sent from the Foreign Office to a British Minister.[1] Aberdeen, who gave it, took the unusual course of forwarding a copy of it to the French Government.

The impression momentarily made by Aston's intrigue was removed by Aberdeen's conduct, and France and England, instead of adopting contrary courses, drew closer together on Spanish matters. The French Government displayed an especial anxiety to terminate disorders in Spain, and Guizot imagined that the best means for terminating them might be found in the marriage of the little girl who was Queen. Long before Isabella and her sister Fernanda had reached their teens, negotiations had been set on foot for their marriage. The Queen Regent desired that both her daughters, or at any rate that her eldest daughter, should marry one of Louis Philippe's many sons. But Louis Philippe had too much prudence to incur the jealousy of England for the sake of securing an unstable throne for one of his family. He declined the proposal, but only on the understanding that the throne which he refused for a child of his own should not be offered to a rival. He expected the other reigning families of Europe to imitate his own forbearance, and he insisted that the choice of the Queen of Spain should be made from her own house, or from one of the descendants of Philip V.[2]

The Spanish marriages.

Louis Philippe's first position.

Animated by these views he sent Pageot, who had returned with Salvandy from Spain, on a special mission to London, to Vienna, and to Berlin, to suggest such an agreement respecting the Queen's marriage. Pageot made little progress. Aberdeen told him that Britain

[1] *Guizot*, vol. vi. pp. 330–334.
[2] *Revue Rétrospective*, p. 51; *Guizot*, vol. viii. pp. 107, 110.

CHAP. XXII. 1841.

'did not recognise in France or in all Europe any right whatever to dispose of the hand of the Queen of Spain,' and that, though there were political grounds for objecting to her marriage with a French prince, she ought to be free to choose a husband from any other quarter. The question, Aberdeen thought, was not European but Spanish, and the only effect of Pageot's proposal would be to 'excite feelings of indignation and resistance in the heart of every Spaniard who values the dignity and independence of his country.'[1]

Pageot's mission failed, but its failure had not much significance. The Queen had not yet entered her teens, and all the intrigues of all the Governments of Europe could not make her ripe for marriage. Louis Philippe was forced to wait, and for nearly two years the question of a Spanish marriage ceased to trouble diplomacy. Grave events, however, in the interval occurred in Spain. The Government of Espartero fell, and Espartero took refuge in England. Narvaez succeeded to power, and the Queen Mother, Christina, returned to Madrid. Isabella was declared of age; the law which had previously required the concurrence of the Spanish Cortes in her marriage was altered, and a new law was passed which merely required her to communicate her marriage to the Cortes. It stipulated, however, that neither the Sovereign nor the Sovereign's heir should contract marriage with any person excluded by the law from the succession to the Crown.[2]

Narvaez accedes to power.

Only a few weeks after these events Queen Victoria paid the visit to Louis Philippe which enabled Guizot and Aberdeen to talk over the policy of the two nations. The two ministers agreed that France and England should endeavour in future to act together on the

[1] Correspondence relating to Spanish Marriages, *Parl. Papers*, 1847, No. 59, pp. 1–2.

[2] *Parl. Papers*, 1847, No. 59, p. 4. It does not say much for the fairness of English writers, that this provision is suppressed by, I believe, every writer on the subject.

Spanish question. Aberdeen officially declared that, though the British Government continued to regard the marriage of the Queen of Spain as a Spanish question, it was 'disposed to concur in the proposition of the Cabinet of the Tuileries, and to recommend that the selection of the Queen's consort should be made from the descendants of Philip V.'[1] Both countries decided to stamp their new policy by sending new representatives to Madrid; and Guizot selected M. Bresson; Aberdeen, Henry Bulwer, for the purpose.[2]

Agreement between Guizot and Aberdeen.

There were only eight persons who came under the category from which Guizot and Aberdeen thus decided that the Queen's husband should be selected. (1) The three sons of Don Carlos, the Queen's cousins; (2) the two sons of Don Francis, Don Carlos' younger brother; (3) the two brothers of the King of Naples, the Queen's uncles; and (4) a prince of Lucca. The French in 1843 were inclined to favour the Duke of Cadiz, the elder son of Don Francis; the English, or Aberdeen, preferred Count Aquila, the elder of the two Neapolitan candidates.[3]

The candidates for the Queen's hand.

Neither arrangement, however, suited the Queen Mother, who naturally thought that she had a right to be consulted on her daughters' marriages. She had originally desired to see them married to two of Louis Philippe's sons. Failing them, she desired to unite them to princes of high position. Ever since the marriage of Leopold with Charlotte of England, the Saxe-Coburgs had been rising in importance. Leopold himself was King of Belgium; his nephew, Albert, was husband to

The Saxe-Coburg candidate.

[1] *Parl. Papers*, 1847, p. 3.

[2] *Guizot*, vol. viii. pp. 155, 159.

[3] *Revue Rétrospective*, p. 298. The despatch from St. Aulaire to Guizot is dated July 18, 1845, but it is evident that the date ought to be 1843. It is melancholy to see a British Foreign Minister recommending the marriage of a child (herself the daughter of an uncle and niece) to an uncle: but perhaps his Grecian studies affected Aberdeen's judgment. A marriage which had produced a Nausicaa may have seemed good enough for a Queen of Spain.

CHAP. XXII. 1843.

the Queen of England; another nephew had recently married the Queen of Portugal. The King of Portugal had a brother, another Leopold, whom Christina thought would be a better husband for her daughter than either Cadiz or Aquila. She still, indeed, preferred a French alliance, but, failing a son of Louis Philippe's, she favoured the suit of Leopold of Saxe-Coburg.[1]

In the autumn of 1845 the Queen of England paid a second visit to Louis Philippe. The two Sovereigns were again attended by Guizot and Aberdeen, who took occasion to talk over the Spanish marriages. The question was gradually attaining a more immediate importance. Isabella was in her sixteenth year; her young sister was growing up to womanhood. Spain had two princesses, not one princess, to provide for; and the French Government had already intimated that, though it declined the throne of Spain for a French prince, it had no objection to see a French prince married to the Queen's sister.[2] Both Louis Philippe and Guizot, however, undertook that the Duc de Montpensier, the prince selected for the sister's hand, should not marry the Infanta till the Queen was married and had issue. In return for this concession, Aberdeen arranged that the Coburg candidate should be neither adopted nor supported; and that no prince, not of the House of Bourbon, should be recognised as a claimant for the hand either of the Queen or of her sister.[3]

[1] *Guizot*, vol. viii. p. 219.

[2] This was originally suggested by Guizot through Bulwer in the summer of 1845. Bulwer's *Palmerston*, vol. iii. p. 215. Stockmar's editors declare that the arrangement was thought of by Guizot as early as 1840, and they base their conclusion, which they call a 'noteworthy fact' on a memorandum of Guizot's when Palmerston was in Paris in 1840. Palmerston, of course, was not in Paris in 1840 but in 1846, and the only 'noteworthy fact' is that they have turned a '6' into an '0,' and have not had the knowledge to rectify their mistake. *Stockmar*, vol. ii. p. 132. Sir T. Martin, misled by this misprint, declares that the Montpensier marriage had been 'long since matured, but had long since dropped out of the discussion.' *Prince Consort*, vol. i. p. 348.

[3] Cf. Louis Philippe's account in *Revue Rétrospective*, p. 19: 'Quant à la candidature du Prince Léopold de Saxe-Cobourg . . . je réponds qu'elle ne sera ni avouée ni appuyée

Aquila, whose claim had been supported by Aberdeen in 1843, had married in the interval a princess of Brazil. Guizot thought that his pretensions to the Queen's hand might be passed on to his brother, the Count de Trapani. The Neapolitan connection, however, was not popular in Spain. The Queen Mother disliked the stipulations for the postponement of the Montpensier alliance; and obstacles therefore still existed to the accomplishment of the arrangement which Aberdeen and Guizot were both virtually disposed to favour.

The Trapani candidate.

These obstacles were unfortunately increased by the intrigues of the two men whom Britain and France had sent as their representatives to Madrid. Bresson was the minister who, in 1830, had supported the election of the Duc de Nemours to the throne of Belgium.[1] Bulwer was the diplomatist who, in 1840, had helped to inflame Palmerston against France. It was almost as certain that Bresson and Bulwer would quarrel, as that nitre and glycerine brought into conjunction would explode. Bresson reported that Bulwer 'n'est pas élevé et ses salons sont mal peuplés.' Bulwer declared that Bresson belonged by birth to the middle class, and was consequently vulgarly preoccupied with his position as ambassador.[2] Bresson, without much regard for Guizot's wishes, was determined on increasing French influence at Madrid. Bulwer thought his employers wrong in assenting to Guizot's principle, and, with characteristic insubordination, set himself to defeat the accomplishment of the Bourbon marriage.

Bulwer and Bresson.

par l'Angleterre, et qu'elle ne vous gênera pas.' See also Guizot's account in *Mémoires*, vol. viii. p. 227, and Stockmar's, vol. ii. p. 142. The latter says that no prince, not of the House of Bourbon, should be recognised and supported *as the English candidate*. But I can find no authority for the words in italics, which, of course, put a different construction on Aberdeen's promise.

[1] *Ante*, vol. iii. p. 545. *Guizot*, vol. viii. p. 206.

[2] *Ibid.*, p. 161, and Bulwer's *Palmerston*, vol. iii. p. 213.

CHAP. XXII. 1845.

Bulwer and Bresson were thus busily undoing the good which their employers had done. Bresson insisted that Bulwer was intriguing for the Coburg marriage,[1] and induced Guizot to believe that his principle was in danger. Bulwer, on the contrary, asserted that the Trapani marriage was to be forced on without the knowledge of the Cortes.[2]

In the midst of these intrigues, news reached Paris of the crisis which necessitated Peel's retirement in the autumn of 1845. For a few days it seemed certain that Aberdeen's tenure of the Foreign Office was at an end, and that Palmerston would in future control the foreign policy of England. Guizot had hitherto relied on the scrupulous fidelity with which Aberdeen had redeemed his pledges. Neither he nor Louis Philippe had any confidence in Palmerston. Fearing that the accession of the Whigs to office would redouble the activity of Leopold's partisans, he sent fresh instructions to Madrid, and desired Bresson, if the Coburg marriage seemed likely to succeed, to demand preference for Montpensier.[3] The same ambitious considerations, which made Christina and the Spanish Government prefer Coburg to Trapani, would, so Guizot was justified in assuming, induce them to place Montpensier before Coburg.

The crisis of 1845.

Peel's Government, however, did not fall. But, by this time, it was evident on both sides of the English Channel that the Trapani union was too odious to the Spanish people to be tolerable. Guizot's great principle was evidently imperilled. Of the eight descendants of Philip V., the Count Aquila was married, the Prince of Lucca was married, Count Trapani was odious, and the selection was limited to the three sons of Don

[1] *Guizot*, vol. viii. p. 230.
[2] *Parl. Papers*, 1847, No. 59, p. 4.
[3] *Guizot*, vol. viii. p. 240. This despatch was not communicated to Aberdeen, *Greville*, part ii. vol. iii. p. 53. The account in *Greville* of the whole of the negotiation is of great importance.

CHAP. XXII. 1845.

Carlos and the two sons of Don Francisco. Many people thought that advantage would arise from the young Queen's union with Count Montemolin, the eldest son of Don Carlos. Just as civil war in England was terminated by the union of the Roses in the marriage of Henry Tudor with Elizabeth of York, so rival claims in Spain might be blended in a child sprung from the leaders of either party. There was, however, one obstacle to this arrangement. With the narrow obstinacy which characterised the Bourbons, Montemolin refused to sacrifice the shadow to the substance. Defeated and an exile, he still asserted his rights divine, and insisted that Isabella must become the King's consort instead of his becoming the Queen's husband.[1] Montemolin was, therefore, impossible, and the choice of the Queen was practically limited to the two sons of Don Francisco da Paula.

The Montemolin candidate.

Here, however, grave difficulties arose. Christina was on bad terms with Donna Carlotta, Don Francis' wife.[2] After her death, in 1844, she transferred to Donna Carlotta's sons the dislike which she had felt for their mother. She had no fancy for her daughter's marriage with either of them. The Duke of Cadiz,[3] the eldest, and the least obnoxious to her of the two, was hardly regarded in London as a man. Don Henry, the younger, had incurred the Queen's displeasure by joining the Progressists and identifying himself with the Opposition. In January 1846 he was ordered into exile.[4] However much Guizot might still cling to his principle, he could not deny the difficulty of executing it. On the 27th of February 1846, he wrote a memorandum which he desired the French Minister in London to read to Aberdeen. In this memorandum he declared that, in the event of the

Guizot's memorandum of the 27th of February, 1846.

[1] *Parl. Papers*, 1847, p. 12.
[2] *Guizot*, vol. viii. p. 184.
[3] Palmerston calls him 'an absolute and Absolutist fool.' Bulwer's *Palmerston*, vol. iii. p. 282.
[4] See his letters in *Revue Rétrospective*, pp. 444, 461, 465.

CHAP. XXII. 1846.

obstacles to a Bourbon marriage proving insurmountable, and the union of the Queen or of her sister with Leopold or any other than a Bourbon becoming probable, France would consider herself free from her engagements, and would demand the hand either of Isabella or her sister for Montpensier.[1]

The fear which prompted the memorandum was almost immediately realised. Christina, disliking Cadiz and Don Henry, decided on bringing matters to an issue by boldly playing for the Coburg marriage. She sent a message to Leopold's father, offering her daughter's hand to Leopold, and she had the dexterity to make the British Minister at Madrid acquainted with the message and to obtain his approval of it. Bulwer had an opportunity, in writing the memoir of himself which he called a 'Life of Lord Palmerston,' of defending his own conduct.[2] It will seem to most persons inexcusably insubordinate, and to have justified the severe censure which it elicited from Aberdeen.

The British Foreign Minister, however, did something more than censure his agent at Madrid. He disclosed the intrigue which Bulwer revealed to him to Guizot. The French Government was delighted with the good faith of a statesman who communicated to it the indiscretions of his subordinates and the intrigues of foreign Courts; and the perfect understanding which was already established between France and England was thus further cemented. Still, Aberdeen—though he properly declined to be a party to an intrigue—maintained his independence, and on the 22nd of June told the Spanish Ambassador in London that he thought Don Henry the most eligible candidate for the throne; but 'if it should be found that no descendant of Philip V. can safely be chosen, ... it could be no cause of dis-

Aberdeen's despatch of the 22nd of June.

[1] *Guizot*, vol. viii. p. 254. *Greville*, part ii. vol. iii. p. 54.

[2] Bulwer's *Palmerston*, vol. iii. ch. vii.

pleasure to Great Britain if they (the Spanish Government) were to select a prince from some other family.'[1]

Four days after this despatch was written, Peel's Government was beaten on the Irish Coercion Bill, and Aberdeen ceased to be responsible for the foreign affairs of England. Six months before, a fear of what Palmerston's presence at the Foreign Office might occasion had rendered Russell's efforts to form a Government abortive. The apprehensions, however, which were freely expressed in December were no longer felt in June. In the interval Palmerston had visited Paris. 'His gay and easy manners' conciliated Court and society. 'Ce terrible Lord Palmerston' became 'ce cher Lord Palmerston,' and the objections to his succeeding to the Foreign Office were thus dissipated.[2] Yet the two men who were chiefly responsible for the policy of France towards Spain were not affected by his visit. Bresson at Madrid had not felt the influence of his presence, Guizot at Paris had continued to regard him with suspicion.[3] The change of Government in England in consequence led to a change of French policy, and to the introduction of new complications in a long negotiation.

Palmerston at the Foreign Office.

The heirs of Philip V. who came within Guizot's principle were practically reduced to the two sons of Don Francisco da Paula. France preferred the eldest, the Duke of Cadiz, whom Palmerston called 'an absolute and Absolutist fool;' England the youngest, Don Henry, whom Spain rejected as a rebellious Progressist. Christina had no taste for either match, and Bresson saw, in the ambition of the Queen, a means of thwarting Palmerston and of raising the influence of France.

Bresson's conduct at Madrid.

[1] *Parl. Papers*, 1847, No. 59, p. 6.

[2] Ashley's *Palmerston*, vol. i. p. 499.

[3] Louis Philippe wrote on the 25th of July to Guizot, 'Oh! que j'ai bien fait de suivre votre excellent conseil, et de me tenir avec lui (Palmerston at Paris) dans des généralités quand il est venu.' *Revue Rétrospective*, p. 185, cf. *Guizot*, vol. viii. p. 279.

CHAP. XXII. 1846.

On the 12th of July he took upon himself the responsibility of declaring that, if the Queen married Cadiz, France would consent to the simultaneous union of Montpensier with the Infanta. Louis Philippe received the news of what Bresson had done on the 20th of July; and he at once insisted on his disavowal. Christina and Isabella must both be told, he wrote, that Bresson was forbidden to say what he did say, and that the simultaneous celebration of the two marriages was inadmissible. Guizot, on the 22nd of July, forwarded Louis Philippe's exact words to Bresson, and on the 24th of July Louis Philippe wrote to Guizot that a verbal disavowal would not be enough, but that the disavowal must be put in writing and handed to Christina.[1] Aberdeen himself had not behaved with more scrupulous good faith than Louis Philippe was displaying.

Unfortunately, at the moment when Louis Philippe was pressing for the disavowal of Bresson, news reached Paris which altered the situation. On the 20th of July Palmerston handed Jarnac, French *chargé d'affaires* in London, some confidential instructions which he had despatched on the previous day to Bulwer. In the first part of these instructions he enumerated the three candidates—Leopold, Cadiz, and Don Henry—whom he thought were alone available for the Queen's hand. Her Majesty's Government—so he added—'have only to express their sincere wish that the choice may fall upon the one who may be most likely to secure the happiness of the Queen and to promote the welfare of the Spanish nation.' In the second part he denounced arbitrary government in Spain, and intimated a hope that 'the present ministers, or those who may succeed them, will lose no time in returning to the ways of the constitu-

Palmerston's despatch of the 19th of July.

[1] These letters are in the *Revue Rétrospective*; see especially pp. 180, 182, 183. They are not referred to by Guizot in his *Mémoires*. Their omission is the only *suppressio veri* with which it is possible to accuse that upright and excellent man.

tion and to obedience to the law.'[1] A more unnecessary or more unwise despatch could hardly have been penned. The first part offended everyone in authority in France; the second part offended everyone in authority in Spain. Louis Philippe called it 'cette étonnante et détestable dépêche.' Guizot persuaded him that it was no time to direct Bresson to withdraw the pledge which he had already given.[2] Christina, thinking that 'Les Anglais et la Révolution nous menacent,' was frightened into the Cadiz marriage, and became only anxious to make 'les deux mariages Bourbon le plus tôt possible.'[3] Under such circumstances events marched at railway speed. The Cortes was summoned for the 14th of September,[4] and, notwithstanding the vigorous remonstrances which Palmerston lodged at Paris and Madrid,[5] the two marriages, of the Queen and her sister to Cadiz and Montpensier, were celebrated on the 10th of October.

The marriages celebrated.

British historians and writers have expressed a unanimous opinion on these events, and perhaps there is hardly an Englishman alive who has not inherited the conviction that Louis Philippe and Guizot acted as traitors only act. It is a difficult and ungrateful task for an Englishman writing for Englishmen to justify foreign statesmanship at the expense of a British statesman, and to induce a unanimous jury to reconsider its verdict. Yet no one who investigates the whole circumstances for himself will endorse the uncompromising condemnation which a score of writers have pronounced on Louis Philippe and Guizot. Two things had been practically arranged at Eu; first that the English Government should not support any candidate for the Queen's hand who did not fall within Guizot's

[1] *Parl. Papers*, 1847, No. 59, p. 8.
[2] *Revue Rétrospective*, p. 186, and *Stockmar*, vol. ii. p. 171.
[3] *Guizot*, vol. viii. p. 303.
[4] *Revue Rétrospective*, p. 321.
[5] *Parl. Papers*, 1847, No. 59, pp. 20, 28.

CHAP. XXII. 1846.

principle; second, that, when the Queen had married and had issue, her sister should marry Montpensier. It is perfectly true that Palmerston in his despatch of the 19th of July did not openly depart from this understanding. He merely enumerated Leopold among the suitors, and in doing so only stated a fact which was patent to all the world. But it is occasionally the business of diplomatists to read between the lines, and endeavour to gather the true meaning of words instead of fastening on their apparent sense. No one who reads the correspondence can doubt that Louis Philippe and Guizot inferred from Palmerston's language that the virtual understanding with Aberdeen was annulled, and that the new ministry was initiating a new policy. It may, indeed, be said that Louis Philippe and Guizot were not justified in breaking their own promises because they saw a hidden meaning in language which the rest of the world could not detect. But then, in common justice to them, it is right to add that the hidden meaning which they detected was the true meaning. Palmerston's private letter to Bulwer, which accompanied his official despatch, places this beyond all doubt. Palmerston was prepared to support either Leopold or Don Henry; and what was much more important, he was determined to stop the Montpensier marriage. He was departing from the arrangement at Eu, and Englishmen should therefore reflect that England under his guidance was as much guilty of a breach of faith as Louis Philippe and Guizot.[1]

But there is another charge of another kind which is at the same time made against the French king and his minister. It is said that they married the Queen to a prince who was hateful to herself and who was 'not

[1] See his letter of the 19th of July in Bulwer's *Palmerston*, vol. iii. p. 258, *Guizot*, vol. viii. p. 309, and *Parl. Papers*, 1847, No. 59, p. 14. Since this paragraph was written, the argument in the text has been strengthened by the publication of the account of Greville's interviews with Guizot and Madame de Lieven. *Greville*, part ii. vol. iii. p. 6 *sq.*

fit' to be her husband. The disgusting marriages forced on royalty by political considerations do not commend themselves to any decent mind. But Palmerston was at any rate precluded from raising this objection. He had himself, on the 19th of July, included Cadiz among the possible candidates, and he ought to have refrained from using the abusive terms, 'fool,' 'baby,' and so forth, which he heaped on him afterwards. But the fact is that the reason which made Palmerston prefer Don Henry to Cadiz made the French prefer Cadiz to Don Henry. Cadiz, brought up among priests, supported the Moderados. Don Henry was in exile from his support of the Progressists. And the Queen Mother, who must have had some thought for her daughter's happiness, preferred the brother who was the more acceptable to France.

Any fair critic, then, who takes the trouble to unravel the facts will hesitate to throw the whole of the blame on Louis Philippe and Guizot. If Bresson intrigued at Madrid, Bulwer had intrigued before him. If the French departed from the understanding at Eu, Palmerston was concurrently departing from it. If there was a breach of faith on one side, there was a breach of faith on the other. But if it be only fair to liberate French king and minister from the charges which weigh upon their character, it is not possible to acquit them of a political error of the gravest kind. The British alliance was a much more important thing to France than the Montpensier marriage, and king and minister sacrificed the greater for the lesser object. 'Je ne vous parlerai plus d'entente cordiale,' wrote Palmerston to Jarnac, 'parce que ce qu'on nous annonce par rapport aux affaires de l'Espagne ne nous prouve que trop clairement qu'on ne sent plus à Paris ni de cordialité ni d'entente.'[1] All the labours of Aberdeen

[1] Bulwer's *Palmerston*, vol. iii. p. 239.

CHAP. XXII. 1846.

and Guizot were thus lost, and England and France were once more isolated.

Such a result was more unfortunate because another cloud, the harbinger of trouble, was already visible on the political horizon. While the statesmen of Western Europe were occupied with the trumpery question whether Coburg or Bourbon should sit on an unstable throne in Spain, nations were brooding over their wrongs and conspiring against their oppressors. Couriers hurried through Europe discussing the miserable claims of rival princes. No statesman thought it worth while to employ a messenger for the sake of conveying a few words of pity or hope to twenty millions of Poles or twenty millions of Italians.

Cracow.

It happened that in February 1846 an abortive insurrection broke out among the Poles of Silesia. The inhabitants of the little republic of Cracow[1] sympathised with the insurgents; and arms, ammunition, and money were collected in the city. Afraid of an insurrection, and unable to preserve order, the authorities appealed to Austria for assistance, and on the 18th of February an Austrian corps, 1,000 to 1,200 strong, entered the town. For four days order was thus preserved. On the 22nd the Poles drove out the Austrian troops, established a provisional government, and called on their fellow-countrymen to rise.[2] The victory of the insurgents, however, soon ended. On the 3rd of March six battalions of Russian troops marched into Cracow, and the insurrection was at once quelled. Soon afterwards an Austrian force under General Collin re-entered the town, and on the 12th of March was left in sole occupation of it.[3]

The British Government was disposed to regard these proceedings as inevitable. In one of the last

[1] For Cracow, see *ante*, vol. iii. p. 628.

[2] *Parl. Papers*, 1847, No. 71, p. 2.

[3] *Ibid.*, pp. 3–12.

despatches which he wrote from the Foreign Office Aberdeen admitted that the three Northern Powers had been forced 'at every hazard' to put down the revolt 'as quickly and effectually as possible,' and that they were entitled 'to take proper steps to secure themselves against any recurrence of the same dangers.'[1] Palmerston adopted the same view, and at the end of the session of 1846 declared that 'he had too high an opinion' of the three Powers 'to believe that they can feel any disposition to deal with Cracow otherwise than Cracow is entitled by treaty engagements to be dealt with.'[2]

If France and England had remained friends, the three Powers might possibly have justified Palmerston's opinion. The estrangement of the Western Courts, however, afforded autocracy an opportunity. On the 6th of November, less than four weeks after the Montpensier marriage, Metternich informed the Austrian Ambassador in London that the three Powers were unable to tolerate any longer in their midst 'a geographical atom hardly perceptible on the map of Europe,' which had become the den of an active anti-social propaganda; and that Cracow, having destroyed its political existence by its own hands, reverted to the Power to which it had formerly belonged.[3] From 1785 to 1809 it had formed part of Austria; to Austria it was again assigned. Identic despatches communicating the same decision were simultaneously addressed to the Prussian and Russian Ambassadors in London by their respective Governments.

Its annexation to Austria.

Palmerston received these communications 'with deep regret and with much surprise.' The independence of Cracow had formed part of the general arrangements which the great Powers had made at Vienna for the

[1] *Parl. Papers*, 1847, No. 71, p. 19.
[2] *Hansard*, vol. lxxxviii. p. 830.
[3] *Parl. Papers*, 1847, No. 71, pp. 24, 37.

CHAP. XXII. 1846.

settlement of Europe. What Europe had laid down Europe alone could alter, and the British Government felt itself bound to protest against the execution of the policy which the three Northern Powers had announced to it.[1] The protest was supported a few days later by a similar or even stronger remonstrance from France.[2] The fact that it had been made was formally recorded two months afterwards in the Queen's Speech on the opening of Parliament.[3] But the protest fell like the boom of an unshotted gun on the ears of the autocratic Powers of Northern and Eastern Europe. Even if France and England had been in accord, they could have done little to prevent the outrage. With France and England at variance, autocracy had nothing to fear.

One man, however, in the House of Commons thought that something might be done. Hume, reverting to a policy which had been fashionable fifteen years before,[4] desired to stop the interest on the Russian Dutch loan. He failed,[5] however, to secure the support which Herries had obtained for a similar proposal in the unreformed Parliament.[6] Russell declared that he had consulted the law officers, and that these authorities thought that payment should be made.[7] The leaders of the protectionist party went even further than the Prime Minister. Bentinck elaborately defended the conduct of autocracy, and Disraeli formally declared that he had no sympathy with the Poles.[8]

At the time at which these discussions took place,

[1] *Parl. Papers*, 1847, No. 71, p. 40.
[2] *Ibid.*, p. 52.
[3] *Hansard*, vol. lxxxix. p. 4. For Metternich's view of the occupation and annexation, cf. *Mémoires de Metternich*, vol. vii. pp. 193 *et seq*, and pp. 359–368.
[4] *Ante*, vol. iii. p. 565.
[5] *Hansard*, vol. lxxxix. p. 183, vol. xc. p. 861.
[6] *Ante*, vol. iii. p. 567.
[7] *Hansard*, vol. xc. p. 894.
[8] 'When I hear of the infamous partition of Poland, although as an Englishman I regret a political event which I think was injurious to our country, I have no sympathy with the race which was partitioned.' This passage is preceded by the magnificent burst, 'A great nation is that which produces great men. It is not by millions of population that we prove the magnitude of the mind.' *Ibid.*, xci. p. 86.

the leaders of the protectionist party, in association with the Radicals, were contemplating the overthrow of the Government on another question of foreign policy.

Portugal.

In 1834 the Quadruple Alliance had established Donna Maria on the throne of Portugal.[1] In 1836 Stockmar succeeded in providing the child-queen with a husband, Ferdinand of Saxe-Coburg, a cousin of Prince Albert. The young prince was accompanied to Portugal by a German, Dietz,[2] who essayed to play at Lisbon the part of Stockmar. The marriage was followed by several changes. The Duc da Terceira succeeded to the first place in the ministry, and the Queen's husband became commander-in-chief. The latter appointment was intensely unpopular : riots occurred in the capital, the troops rose against the authorities, and the Queen, who had hitherto been reigning under the conditions of Don Pedro's Charter of 1826, was forced to accept the Radical Constitution of 1820.[3] This violent revolution was followed by nearly ten years of comparative quiet. The old Charter of 1826 was restored in 1842 without disturbance, and a ministry of which Terceira, Palmella, and Costa Cabral were leading members, entered on a course of constitutional government.

Constitutional government, however, is a plant of slow growth on Continental soil, and politicians reared in the atmosphere of autocracy seem incapable of adapting themselves to parliamentary institutions. The Costa Cabral ministry, as it was called, gradually became unpopular. Measures of sanitary reform, imposing fresh taxation,[4] irritated the populace. On the 10th of May, 1846, the inhabitants of Northern Spain, always ready to engage in a revolutionary movement, rose against the Government. Cabral, trembling for his life, was

The revolt of 1846.

[1] *Ante*, vol. iii. p. 613.
[2] Martin's *Prince Consort*, vol. i. p. 414.
[3] *Life of Saldanha*, vol. i. p. 445.
[4] *Ibid.*, vol. ii. p. 63; cf. *Ann. Reg.*, 1846, Hist. p. 295.

CHAP. XXII. 1846.

forced to leave the country, and Palmella was entrusted with the task of forming a new Administration.

The ministry which Palmella thus formed proved unable to suppress the revolution. Oporto, the second city of the kingdom, led the revolt, and the Queen's authority became almost daily more restricted. Conservative statesmen, alarmed at the spread of disorder, concluded that stronger men were necessary for the preparation of stronger measures. Palmella himself desired Saldanha, the hero of Terceira,[1] to undertake the government. Saldanha, conjecturing that a formal attempt to recast the ministry might lead to an armed resistance, decided on effecting his own accession to office by a *coup d'état*. On the evening of the 6th of October he repaired to the Queen's palace, summoned Palmella, asked him formally whether he were prepared to put down the revolution, and, on his professing his inability to do so, called on him to resign. Decrees were at once signed announcing the change of Government, and conferring the command of troops on Saldanha himself. Lisbon sullenly acquiesced in a military revolution which it had no power to prevent.[2]

Saldanha's *coup d'état.*

It was not, however, in Lisbon that action was chiefly required. Oporto was the centre of the revolt, and the chiefs of the party who were in arms in the North were given a new excuse for their conduct by the lawlessness of Saldanha's *coup d'état*.[3] Terceira, despatched to the North to restore authority, was arrested and flung into Foz;[4] and Saldanha found it

[1] *Ante*, vol. ii. p. 577.

[2] The account of the *coup d'état* from Saldanha's point of view is in his *Life*, vol. ii. p. 92 *sq.*; cf. English account in *Parl. Papers relating to Portugal*, 1847, p. 1.

[3] See Das Antas' letter to the Queen, in which he professes himself devoted to the Queen and country. 'The whole country . . . has seen with horror and indignation the treasonable attempt of a few men who have imposed upon your Majesty an administration openly opposed to the national will.' *Parl. Papers*, p. 39.

[4] *Ibid.*, p. 10, and *Saldanha*, vol. ii. p. 104.

necessary to act himself against the force which was in arms against Queen and ministry.

The war which thus broke out was attended with horrid cruelty; one side threatened the Queen with the fate of Louis XVI.;[1] the Queen, on the other side, was induced to put her name to a proclamation directing that prisoners should immediately be shot.[2] Fortunately for Saldanha's reputation, the impotence of his army made the decree a dead letter. He won one considerable victory, but he was unable to follow up his advantage.[3] The rebels again took heart; the civil war still continued, and an exhausted country remained the unfortunate prey of rival armies.

When the *coup d'état* of October took place, Howard de Walden represented, or misrepresented, his country at Lisbon. Forgetting that he was an ambassador, he adopted the tactics of a partisan.[4] Fortunately for England, however, he left Lisbon and repaired to London. His conversation with Palmerston induced the Government to send an officer to visit the head-quarters of the Junta, and impress on Das Antas the hopelessness of resisting the Queen's authority. Colonel Wylde, who was selected for the duty,[5] was in one respect under a special disqualification. He was attached to the Prince Consort's suite, and half Portugal ascribed the evils of the country to a Saxe-Coburg marriage. Probably, however, no one could have succeeded in Wylde's position. The Junta threw difficulties in the way of his landing at Oporto, and Das Antas turned a deaf ear to his arguments.[6]

Wylde's mission.

It was thus plain that Wylde's mission had failed;

[1] *Saldanha*, vol. ii. p. 103.

[2] *Parl. Papers*, p. 62. Saldanha declared that the decree was meant only as a threat, vol. ii. p. 120.

[3] *Parl. Papers*, p. 116 *et seq.*, and *Saldanha*, vol. ii. p. 135 *et seq.*

[4] See, for instance, his letter to Saldanha in vol. ii p. 80.

[5] Colonel Wylde's instructions are in *Parl. Papers*, p. 12.

[6] *Ibid.*, pp. 48 *b*, 51.

CHAP. XXII. 1846.

and that neither Queen nor Junta was strong enough to bring the civil war to a conclusion. Adjacent Powers watched the protracted struggle with an ill-concealed impatience. Spain, which had from the first desired Saldanha's success, stationed a force on the Portuguese frontier, and the vigorous remonstrances of the British Minister at Madrid hardly prevented Spanish intervention.[1]

Hitherto the contest had been a struggle between Liberals under Das Antas and Conservatives under Saldanha, but Dom Miguel's friends gradually perceived that, while they gained nothing from standing aside, they might obtain much from taking part in the struggle. The Miguelites joined Das Antas, and a war of parties became a war of dynasties. The Spanish Government had with difficulty been persuaded to remain neutral while Das Antas was struggling with Saldanha. It openly professed its intention of interference if Miguel were once arrayed against Maria.[2] The Portuguese Government asked Palmerston whether he would intervene under the Quadruple Treaty of 1834,[3] and Palmerston, refusing aid but offering intervention, directed Wylde to endeavour to bring about an understanding between the Government and the insurgents.[4] Saldanha, however, had asked for material not moral help; and the proposal of Palmerston only made him repeat his application to Spain for armed assistance.[5]

Dom Miguel.

In fact, Saldanha's position was becoming daily more difficult. He was forced to confess that he saw no prospect of bringing the struggle to a conclusion. His Queen ordered him to make overtures to the enemy, his colleagues turned again to France, Spain, and England for help in their extremity. Spain, towards the end of

[1] *Parl. Papers*, pp. 15, 43; cf. Ashley's *Palmerston*, vol. ii. p. 15.
[2] *Parl. Papers*, pp. 101, 113.
[3] *Ibid.*, p. 151.
[4] *Ibid.*, p. 156, *Life of Saldanha*, vol. ii. p. 150.
[5] *Parl. Papers*, pp. 158, 171.

March, moved 12,000 men to the Spanish frontier; Guizot desired M. de Varennes to express his readiness to render any assistance which the Queen of Portugal desired; and Britain saw to her dismay that, whether she interfered or not, foreign intervention would immediately take place in Portugal.[1]

These facts induced Palmerston to adopt a new policy. It was one thing to leave Portugal to settle her own quarrels, it was another thing to stand by and see them settled by other Powers. The Quadruple Treaty, indeed, gave no express right of interference. It had been framed to procure the expulsion of Don Carlos and Dom Miguel from the Peninsula, and neither Carlos nor Miguel was in Spain or Portugal. Neither, then, by the letter nor by the spirit of the treaty was there any case for interference. But, if this were true of England, it was also true of France; and if, notwithstanding, France chose to interfere, it followed that England might also intervene on general principles of policy. The Cabinet assented to this view, and on the 5th of April, 1847, authorised Palmerston to make a conditional offer of help to the Queen of Portugal.

Palmerston offers to interfere.

Nothing perhaps was more remarkable in the despatch, in which Palmerston communicated to Portugal the decision of the Cabinet, than its reasoning. It began by stating that Britain had no right to interfere under the treaty of 1834; it proceeded to give the Queen of Portugal some very good advice for terminating the civil war; it went on to declare that, if the opposition of Saldanha prevented her from opening negotiations with the insurgents, the British Government would undertake the duty; but that in that case the Portuguese Government must, as a preliminary measure, agree upon four conditions—(1) A general amnesty; (2) a revocation of all the decrees issued since Saldanha took office;

[1] *Parl. Papers*, pp. 226, 227, 275.

CHAP XXII. 1847.

(3) a convocation of the Cortes; and (4) the appointment of a neutral Administration. If the Government at Lisbon assented to these conditions, the British Government would instruct Wylde to lay them before the Junta at Oporto. If the Junta should, notwithstanding, continue the war, 'the British Government would concert with the Governments of France and of Spain the best means of affording effectual assistance to the Queen of Portugal.[1]

These terms were equally distasteful to the Junta and Saldanha. The Junta was reluctant to submit to the consequences of defeat at the moment when victory seemed assured. Saldanha desired to send a special ambassador to London for the purpose of further negotiation.[2] But both parties were powerless to stand out against the new forces which were arrayed against them. Saldanha's ministry was replaced by a Government ready to accept Palmerston's conditions.[3] The four Powers which had signed the Quadruple Treaty agreed on the military measures necessary for enforcing their terms on the Junta. The fleet of the Junta, with Das Antas himself, was captured by the British. The Junta, seeing further resistance hopeless, yielded to necessity. A convention was signed, and civil war in Portugal ceased.[4]

The Portuguese debates.

These events excited consternation in this country. Non-intervention in the affairs of other countries was the favourite rule of Whig politicians. Yet 'there was little in the conduct of the British Foreign Office compatible with' this principle.[5] The friends of Miguel and the enemies of Palmerston were equally angry with the minister's policy, and determined to mark their dis-

[1] *Parl. Papers*, p. 236. The private instructions which accompanied the despatch are in Bulwer's *Palmerston*, vol. iii. p. 332.

[2] *Parl. Papers*, pp. 287, 348.

[3] *Ann. Reg.*, 1847, Hist. p. 347.

[4] Ashley's *Palmerston*, vol. ii. p. 27; *Saldanha*, vol. ii. p. 201.

[5] Ashley's *Palmerston*, vol. ii. p. 24. Lord Dalling refrains from expressing any opinion on the matter.

approval of it. In Portugal the supporters of Donna Maria had been frightened by the combination of Miguelites with the Junta. In England the ministry was alarmed by a junction of protectionists and Radicals. Hume asked the Commons to affirm 'that the armed interference of the Government between political parties in Portugal is unwarrantable in principle, and likely to lead to serious and mischievous consequences.'[1] Stanley asked the Lords to pass a similar resolution.[2] The ministry anticipated defeat and prepared for resignation. But the new allies had no cohesion. Peel came to the defence of the ministry. The protectionists, fearing that they might sustain defeat, allowed the debate to come to a premature conclusion, and the House to be counted out. The Lords, hearing of this catastrophe, brought their own discussion to a close, and motions which had at one time seemed pregnant with ruin, produced nothing but ridicule.[3]

At the time at which these discussions took place, another question of equal importance was occupying the attention of European diplomatists.

Switzerland.

Switzerland, since 1815, had been the refuge of the unfortunate exiles of other nations. They brought to the country of their choice the ideas which they had formed in the lands of their birth. Radicals in Poland or Germany, they did not cease to be Radicals in Switzerland. The twenty-two cantons into which Switzerland was divided had been united in 1815 on the basis of cantonal equality. The Radicals declared that the weight of each canton in the Federation should be proportionate to its population. In a country whose people consisted of Roman Catholics and Protestants, a struggle which had its origin in a mere question of

[1] *Hansard*, vol. xciii. p. 384.
[2] *Ibid.*, p. 540.
[3] *Ibid.*, p. 620. Martin's *Prince Consort*, vol. i. p. 415. *Greville*, part ii. vol. iii. p. 90.

CHAP. XXII. 1847.

policy, soon developed into a religious contest,[1] and the Swiss, forgetting their common history and origin, ranged themselves under opposite leaders in rival camps.

At the commencement of the struggle, the revolutionary party succeeded in establishing popular government in most of the cantons, and in transferring authority from the small executive council, which had previously exercised it, to the great or grand council of the canton, which represented the people. Elated by success, the Radical Government which was formed in Zurich took, in 1839, the bold step of nominating Strauss to a Chair of Theology in its University.[2] Even at the present day orthodox Christians would resent such an appointment. The selection of the eminent author of the 'Life of Jesus' for such a post was regarded in 1839 as an outrage on religion. The Radical Government of the canton was driven from power, and fell a victim to the reaction which it had created by an abuse of its authority.

The struggle thus commenced in Zurich soon extended to other provinces. In 1840 the Protestant canton of Aargau decided on suppressing Roman Catholic convents. In 1844 the Roman Catholic canton of Valais declared that the Protestant religion should no longer be tolerated.[3] Thereupon the canton of Aargau insisted on the assembly of an extraordinary Diet; its deputies rose in the Diet to demand the expulsion of the Jesuits from Switzerland. They secured little or no support, and the conduct of Valais might possibly have been forgotten if the grand council of Lucerne had not immediately afterwards decided on the introduction of Jesuits into that canton. This decision, which produced

The Jesuits.

[1] See Mr. Morier's despatch in *Parl. Papers*, relative to the affairs of Switzerland, 1847–8, pp. 140, 141.

[2] Guizot, *Mémoires*, vol. viii. p. 429; *Ann. Reg.*, 1847, Hist. p. 353.

[3] *Guizot*, vol. viii. p. 425. There is an excellent account of the Revolution in Valais in *Ann. Reg.*, 1847, Hist. pp. 356–360. The whole of the chapter is written with exceptional ability.

disturbances in Lucerne, changed the policy of the Diet. In 1844 only one canton and a half had supported the proposal for the expulsion of the Jesuits. In 1845 ten cantons and a half decreed their expulsion. The Roman Catholic cantons, alarmed at the violence of the passions which the folly of the Romanists had excited, in self-defence formed themselves into a Sonderbund or defensive league. The Diet of 1846 retaliated by declaring the league illegal, and by insisting on the expulsion of the Jesuits. It ordered General Dufour to execute its orders, and to employ force against the Sonderbund.

The Sonderbund.

These decisions filled Europe with alarm. Metternich, on the part of Austria, regarded the formation of the Sonderbund as equivalent to the dissolution of the Confederation, and desired that the great Powers of Europe should intervene. Guizot, on the part of France, proposed that the religious dispute should be referred to the arbitration of the Pope, that the five Powers should themselves offer to mediate on questions of general policy, and that, if these terms were declined, the Confederation should be declared at an end.[1] Palmerston, on the part of England, refused to admit that the formation of the Sonderbund had dissolved the Confederation, and proposed that the five Powers should offer their mediation on the understanding that if it were refused no intervention should take place, and that if it were accepted the Jesuits should be expelled, the Sonderbund dissolved, and the civil war cease.[2] The proposal of Palmerston effectually separated England from the other Powers. Guizot himself declared that it gave France the opportunity of avenging the treaty of July by forming another Quadruple Alliance, in which England should have no part.[3] But the advance of Dufour saved the British minister from this catastrophe.

The victory of the Diet.

[1] *Parl. Papers*, p. 211, and cf. Ashley's *Palmerston*, vol. ii. p. 5.

[2] *Parl. Papers*, pp. 227–231.

[3] *Guizot*, vol. viii. p. 482.

CHAP. XXII. 1847.

Friburg fell on the 13th, and Lucerne surrendered on the 24th of November.[1] Palmerston, instead of supporting the views of the Diet, found it chiefly necessary to advise its leaders to be moderate. The Diet wisely abstained from vindictive measures; its temperate conduct deprived Austria of any excuse for interference; and a revolution, which at one time seemed pregnant with disaster to Europe, ran its course without producing serious complications.

Italy.

Yet the danger which was thus averted in Switzerland was already arising in a neighbouring country. Italy, palpitating under the iron heel of a foreign autocrat, was almost openly preparing for the death struggle which her patriots impatiently expected. In 1843, 1844, and 1845, abortive risings in Bologna, in Calabria,[2]

[1] *Ann. Reg.*, 1847, Hist. p. 372, and *Parl. Papers*. p. 265. Cf. on the whole subject, *Mémoires de Metternich*, vol. vii. pp. 107, 451.

[2] The insurrection in Calabria (for debates on which see *Hansard*, lxxvii. p. 747, and lxxviii. p. 31) incidentally raised a great constitutional question. In the seventeenth century Cromwell had assumed the right of opening letters passing through the post. The right was formally conferred by statute in the reign of Anne, and confirmed by the Post Office Act of 1837. Graham, believing that 'a great act of violence and bloodshed might be prevented' in this way (*Life of Bishop Wilberforce*, vol. ii. p. 248), decided in 1844 on opening the letters of an Italian patriot, Mazzini. The matter was brought before the House of Commons by Duncombe (*Hansard*, vol. lxxv. p. 892), who moved for a Select Committee to inquire into the complaint. He was beaten (*ibid.*, p. 1305) but a Secret Committee was subsequently appointed on Graham's own motion to investigate the subject. The Committee's report exonerated Graham and defended the practice, May's *Constitutional History*, vol. iii. p. 48. In the meanwhile, however, Duncombe had incidentally learned that his own letters were also opened (*Hansard*, vol. lxxviii. p. 141), and with this real grievance, early in 1845, again moved for a Select Committee. *Ibid.*, vol. lxxvii. p. 668. Lord Howick proposed, and Disraeli seconded, an amendment for the appointment of a Select Committee to inquire into the allegation that Duncombe's letters had been opened. *Ibid.*, p. 901. Lord Howick's motion was rejected by 240 votes to 145 (*ibid*, p. 1022), and Duncombe was subsequently refused leave for the introduction of a bill to secure the inviolability of letters. *Ibid.*, vol. lxxix. p. 328. These Parliamentary decisions, however, only imperfectly represented the feelings of the public. Sir E. May rightly says that Graham's avowal that Mazzini's letters had been opened encountered 'a tumult of disapprobation' (*Constitutional History*, vol. iii. p. 47,) and Denman, speaking as Chief Justice, expressed his doubts whether the Secretary of State, acting alone and as an individual minister, had the right to open letters under the Act of 1837. Arnould's *Denman*, vol. ii. p. 163; see also Lord Campbell's opinion in *Life of Campbell*,

CHAP. XXII. 1846.

and in the Papal States, proved the intensity of agony in a discontented people. But in 1846 the death of Gregory XVI. opened a new page in Italian history. The conclave selected Mastai Ferretti, a prelate of irreproachable character and of liberal opinions, as Gregory's successor; and Ferretti, who took the title of Pio Nono, entered on his office with a desire to terminate abuses and to promote improvement.

The election of Pius IX.

In Rome, as in Italy, there were in 1846 three distinct parties. The Sanfedisti, or the partisans of the Holy Faith, supported by the whole force of Austria and Metternich, desired to preserve the autocracy of the Pope and to stamp out every attempt at revolution. The party of Young Italy, on the contrary, with Mazzini at its head, was striving by overt and covert means to drive Austria out of the peninsula and to establish an Italian Republic. Between the Sanfedisti and the Republicans, and equally opposed to both of them, a few Italians, desirous of more moderate measures, were advocating constitutional reforms and a confederacy of Italian States. These men, of whom d'Azeglio, Balbi, and Gioberti were the most conspicuous, relied on Rome as the centre of Italian faith, and on Piedmont as the centre of Italian force. Their views were supported by the representatives of Britain and France in Italy.

The election of Pio Nono to the Papal Chair raised the hopes of constitutional reformers. The new Pope had read their writings and shared their views.[1] His earliest action evinced his desire to move along the path

vol. ii. p. 187. Thirty-six years passed before public attention was again directed to the opening of letters passing through the post by a Minister. But it is probable that the practice is more usual than is generally supposed. Russell privately admitted in 1854 that the Whig Government had ordered letters to be opened during the Monmouth riots. *Life of Bishop Wilberforce*, vol. ii. p. 247, and cf. for general subject, Greville, *Memoirs*, pt. ii. vol. ii. pp. 249, 289.

[1] See Giuseppe Pasolini: *Memorie raccolte da suo figlio*. This book, which has been translated into English by the Dowager Lady Dalhousie, contains a very interesting account of Pio Nono, during the period in which he was Bishop of Imola, immediately before his election to the Papacy.

CHAP. XXII. 1847.

which these authors had indicated. He commenced his papacy by liberating the political prisoners whom his predecessor had confined in the fortress of St. Angelo; he followed up the amnesty by issuing a commission to consider and prepare a measure of judicial and administrative reform;[1] he made Cardinal Gizzi, a liberal prelate, Secretary of State; early in 1847 he instituted a State Council of men, nominated indeed by himself, but selected for their popularity; and he promised the formation of urban and civic guards.[2]

His liberal policy.

This new and liberal policy excited enthusiasm. The air of Italy rang with applause of the new Pope; and the people, rightly concluding that Pio Nono was more liberal than his advisers, indulged in the sinister cry, 'Viva il Papa Pio Nono Solo!' But the policy which created enthusiasm in Italy caused a feeling of profound distrust in Vienna. The statesmen of Austria and of the petty courts, which basked under the sunshine of Austrian protection, saw with alarm the progress of reforms which they thought inconsistent with their own security. The Austrian garrison, which in accordance with the treaty of 1815 occupied the citadel of Ferrara, made some local disturbances a pretext for entering the town and parading its streets; and, when the Apostolic Legate protested against the outrage, Metternich defended the conduct of the troops.[3]

Disliked by Metternich,

The attitude of the Austrian troops in Ferrara was, however, only one sign of Metternich's policy. In August 1847 he took occasion to communicate his fears and his views to the great Powers of Europe. Revolution, he had persuaded himself, was already completed in Rome and Tuscany;[4] the revolutionary party was

[1] *Parl. Papers relating to Italy*, 1846–7, pt. i., pp. 21, 26.

[2] *Ibid.*, p. 59.

[3] *Parl. Papers*, pp. 85, 101; Garnier Pagès, *L'Histoire de la Révolution*, vol. i. p. 18. Cf. as to Metternich's opinions on Pio Nono's concessions, *Mémoires de Metternich*, vol. vii. pp. 251–256.

[4] See his conversation with Lord Ponsonby in *Parl. Papers*, p. 74.

aiming at the union of all Italy under one Government. But this object was absurd. For Italy, so he declared in a formal despatch, was 'a geographical name;[1] the existence of its several States was based on principles of general public right; the position of their sovereigns was guaranteed by Europe.' The arms of Italian revolution, so he complained in a second despatch, threatened those portions of the Austrian Empire which are situated beyond the Alps. These Austria intended to keep; these she would know how to defend. For the present she wished to ascertain whether the great Powers of Europe shared her views and would unite with her in common action.[2] The peace of the world, in Metternich's opinion, was dependent on their decision.

There could be very little doubt that the opinions which Metternich thus expressed in 1847 were consistent with the proceedings which he had persuaded Europe to adopt in 1822. But the answer which he at once received proved the advance which British foreign policy had made in twenty-five years. No change, began Palmerston, with a sneer at the Austrian occupation of Cracow, can properly be made in the territorial arrangements which were established at Vienna without the consent of all the Powers who were parties to the settlement of 1815. This opinion her Majesty's Government has had occasion not long ago to express to the Cabinet of Vienna. As for Italy, he went on to say, her Majesty's Government knew nothing of any scheme for uniting its several States in one federal Republic. But it knew that deep, widely spread, and well-founded discontent existed in its provinces, and it hoped that the great influence of Austria would be used in encouraging necessary reforms and improvements.[3] A few days afterwards he wrote in still

but supported by Palmerston.

[1] Cf. his letters to Apponyi, 'L'Italie est une expression géographique, &c. *Mémoires*, vol. vii. p. 415.

[2] *Parl. Papers*, pp. 78, 79.

[3] *Ibid.*, p. 81.

CHAP. XXII. 1847.

stronger terms to the British Minister at Vienna, that he felt assured that the Austrian Government could have no intention of seizing upon any reforms which the Italian States might adopt as a pretext 'for any aggression whatever upon their territories.' If such aggression were contemplated in Sardinia, Metternich would do well to recollect that 'the crowns of Great Britain and Sardinia have long been bound together by the ties of faithful and intimate alliance, and Great Britain can never forget and repudiate claims founded upon such honourable grounds.' If aggression were contemplated in Rome, Metternich should remember that 'no invasion of the territory of that State could take place without leading to consequences of great gravity and importance.'[1] Language of this character was unusually serious. The British ministry increased its significance by despatching immediately afterwards Minto, a near relative of the Prime Minister, on a special mission to Italy. Minto was instructed to support reforms both in Sardinia and Rome.[2] Everywhere in Italy he was to assert that the moral influence of England was on the side of progress.

Lord Minto's mission.

Metternich was naturally alarmed at Palmerston's attitude,[3] and he had soon other cause for fear. In September 1847 the Austrian garrison at Milan thought proper to stop some fêtes held in honour of the appointment of a new archbishop. Blood was shed in the act of repression, and the Milanese, angry at the slaughter, resolved on a new method of showing their discontent. Austria was dependent for her revenue in Lombardy on the profits of the lottery and on the monopoly of tobacco.[4] The Milanese resolved neither to smoke nor to play. The Austrians were irritated at this sudden

[1] *Parl. Papers relating to Italy*, p. 115. [2] *Ibid.*, p. 128. [3] Ashley's *Palmerston*, vol. ii. p. 45. [4] *Parl. Papers*, p. 134. The lottery produced 8,200,000, the tobacco monopoly 6,726,000 lire. *Garnier*

Disturbances at Milan.

resolution. Austrian officers puffed the smoke of their cigars in the faces of the people; Austrian patrols protected any Lombards who disregarded the self-imposed law of the city. Conduct of this kind soon led to blows. The garrison used its arms; blood flowed in the streets; and the hatred with which army and people mutually regarded one another was increased by this deplorable incident.[1]

Nor was it in Milan alone that commotion was visible. In Venice, in Piedmont, in Lucca, in Parma, in Tuscany, and in Naples, the closing months of 1847, and the opening weeks of 1848, witnessed the wild tumult of popular agitation. In some of these places the repressive measures to which autocracy resorted were temporarily successful. In others of them the party of progress obtained considerable advantages. In Piedmont, the King, imitating the Pope's example, inaugurated liberal government; in Tuscany, the Grand Duke conceded reforms, and was rewarded by the annexation of Lucca to his territory;[2] in the two Sicilies, an abortive insurrection in 1847 was followed by a more successful movement in January 1848. The Sicilians, winning a victory over the Neapolitan troops, forced the king to grant a constitution. In Venice, on the contrary, Manin and Tommaseo, the patriotic leaders who inflamed by their eloquence the aspirations of their fellow-citizens, were flung by the Austrians into prison. Vain are the measures of repression. Austria could have taken no steps so well calculated to increase their popularity and enlarge their influence.[3]

Pagès, vol. i. pp. 26, 27; cf. *Parl. Papers*, pt. ii. pp. 8, 16.

[1] Note 4, p. 544.

[2] The terms on which the annexation was made will be found in *Parl. Papers relating to Italy*, pt. i. p. 176.

[3] The best connected account of these events is in *Garnier Pagès*, vol. i. pp. 11–50; cf. *Ann. Reg.* 1847, History, pp. 394–402. Disraeli, in *Life of Bentinck*, p. 358, claims Manin as a Jew. Basevi, the patriot advocate of Milan, was also a Jew (Morley's *Cobden*, vol. i. p. 438), and cf. the whole passage, which gives an interesting account of Italy in 1847.

CHAP. XXII.

1847.

Thus in the winter of 1847–8 the political atmosphere of Italy was charged with electricity, and revolution and autocracy loomed like two mighty clouds, whose collision was imminent, ready to discharge their contents over the fated land. The shock, however, was ultimately precipitated by unexpected occurrences in another country.[1] From 1840 to 1848 the Government of Guizot had regulated the foreign policy of France with a prudence which was usually admirable. But in domestic matters Guizot made the mistake, which the Liverpool Administration had committed in England thirty years before, of opposing reforms[2] because they were new, and of maintaining institutions because they were old. In a purely constitutional country such a policy would sooner or later have produced the fall of the ministry. In France it was attended with graver consequences because the Crown in that country was identified with the policy of the Executive. Louis Philippe and Guizot were not merely Sovereign and Minister: they were colleagues in a Cabinet. The Sovereign reaped some of the popularity which resulted from the Minister's successes, but he bore also much of the blame which attached to his failures. It seemed impossible to get rid of a minister who was identified with the throne without shaking the throne itself; and a change of policy, which in England would have produced a ministerial crisis, in France involved the fall of a dynasty.[3]

The fall of Louis Philippe.

[1] So little was the Revolution of February 1848 foreseen, that on the 3rd of February, Normanby, British Ambassador at Paris, commenced a despatch: 'One cannot conceal from oneself that the main point upon which the whole direction of European politics is likely for some time to turn, is the course which Austria within the next few weeks may take in Italy.' *Parl. Papers relating to Italy*, pt. ii. p. 46.

[2] '"M. Guizot," disait un jour Sir R. Peel à Lord Aberdeen, "fait beaucoup de concessions à ses amis; moi je n'en fais qu'à mes adversaires."' Guizot, *Mémoires*, vol. vii. p. 3.

[3] The French seem incapable of devising a Sovereign who shall reign and not govern, and hence Napoleon III.'s words, 'We make Revolutions in France, not Reforms' (*Cobden*, vol. ii. p. 247) seem perpetually true. cf. *Stockmar*, vol. ii. pp. 217–229.

CHAP. XXII. 1847.

It was the object of Guizot during the whole of his administration to pursue a moderate course. His moderation kept him in power for seven years. The Right criticised his policy, the Left advocated reforms; but the Right was always ready to help the minister to defeat the Left, the Left was equally ready to enable him to defeat the Right. Such a policy answered very well while Left and Right were more opposed to each other than to the ministry, but it was doomed to inevitable failure if Right and Left once agreed to forget their own differences for the sake of defeating the Government; and in the course of 1847 they agreed on a common alliance.[1]

Reform in France.

Reformers in France had for years desired to extend the franchise and to purge the Chamber of paid functionaries. From 1840 to 1847 these proposals were the frequent subjects of Parliamentary discussion. In 1847 the Radicals, despairing of a Parliamentary victory, decided on attempting extraneous agitation by holding political banquets. The banquets kindled enthusiasm among the people, they created disquietude in the King. 'Trop père et pas assez peuple,'[2] however, Louis Philippe consoled himself with the reflection that he had a majority in the Chamber. He refused to accept Guizot's offer to retire; he could not understand that the forces which were gathering outside the Chamber could overwhelm the legal representatives of the people.[3]

Thus France at the close of 1847 was slowly dividing herself into two camps, whose leaders were animated by opposite and irreconcilable ideas. King and Government relied on the Chamber, the Opposition depended on opinion. In theory Louis Philippe's

[1] Guizot, *Mémoires*, vol. viii. p. 534.
[2] Lamartine, *L'Histoire de la Révolution de* 1848, vol. i. p. 17.
[3] *Ibid.*, p. 47, and *Guizot*, vol. viii. p. 544.

CHAP. XXII. 1848.

position was unassailable. In his speech from the throne in the commencement of 1848 he declared that, in the midst of an agitation prepared by men who were both hostile and blind, he relied on the powers which the Constitution entrusted to him.[1] His reliance was not vain; the Chamber gave him a majority;[2] and the ministry, encouraged by its success, decided on stopping the banquets. Its decision necessarily brought it into conflict with the Opposition. The one side affirmed, the other denied, the power of the Crown to stop them. With much good sense both parties agreed to test their legality in the ordinary tribunals, and in the meanwhile allow a large banquet in Paris to go on.[3] But the extreme members of the Radical Opposition were not satisfied with this pacific solution of a delicate embarrassment. They used every means to convert the banquet into a great demonstration; they openly avowed a desire to defeat the intentions of the Executive, and they invited the National Guard to come without their arms and take part in the procession. Even in England in 1848 such arrangements would have created alarm; in France they produced consternation. The ministry hurriedly met, and determined to stop the banquet.[4]

The Paris political banquet stopped.

The prohibition seemed, in the first instance, likely to be obeyed. Odilon Barrot, a Liberal whose bluff figure and vehement oratory would have made him in England a successful agitator,[5] advised his friends to give way. But this course did not commend itself to the more energetic members of the party. One of them, Lamartine, who had lived for nearly sixty years without acquiring repute, but who in the last few months had

Lamartine.

[1] See *L'Histoire de la Révolution*, vol. i. p. 48. The precise words of the speech will be found in Guizot, *Mémoires*, vol. viii. p. 545.

[2] *Ibid.*, p. 551.

[3] *Ibid.*, p. 556.

[4] *Ibid.*, p. 568. The proclamation is inaccurately described by Lamartine, vol. i. p. 53.

[5] The opinion is Cobden's; see *Life*, vol. i. p. 417.

become famous as the historian of the Girondins, understood the situation much more thoroughly than Barrot. He saw that if the members of the Opposition abandoned their programme they would sacrifice their authority. Forced by the Government to choose between the shame of retreat and the dangers of resistance, their honour and their cause equally forbade them to withdraw. The die was cast; the challenge had been given. The hour for deliberation was over; the time for action had begun.[1]

Notwithstanding the enthusiasm which Lamartine created by his advice, the immediate decision of the Opposition was unfavourable to his views. The banquet was abandoned,[2] and Louis Philippe congratulated himself on the victory which he had won.[3] He understood as little as Barrot the nature of the crisis or the feeling of the populace. The morning which followed this decision dawned upon an excited city. Crowds assembled in the boulevards and paraded the faubourgs; the students of the Schools assembled in the Place de la Madeleine, sang the Marseillaise, and forced the doors of the Chamber of Deputies. The Government called out the troops, and entrusted them with the task of preserving order. Towards nightfall a few barricades were erected in parts of the city. But no collision occurred between troops and people, and no blood was spilt during the day.[4]

The Revolution of February.

In the Tuileries the Royal family watched with alarm the progress of the movement. Self-constituted advisers came to the King and assured him that the safety of the monarchy demanded the sacrifice of the ministry. The Queen told M. Duchatel, a member of

[1] *Lamartine*, vol. i. pp. 57–61. For Lamartine's own account of his previous career, see *ibid.*, pp. 74–79.

[2] *Ibid.*, p. 62.

[3] *Guizot*, vol. viii. p. 576: 'Le roi vint à moi le visage rayonnant. "Eh bien! vous venez me féliciter: c'est qu'en effet l'affaire tourne à merveille."'

[4] *Lamartine*, vol. i. p. 67.

CHAP. XXII. 1848.

the Cabinet, that Guizot, if he consulted the interests of the Crown, would resign,[1] and Louis Philippe was reluctantly induced to inform his minister that he was under the necessity of parting from him. Guizot himself announced his own fall to the Chamber, and added that Molé had been charged with the formation of a ministry. Paris was in the throes of a revolution; populace and soldiery were preparing for the encounter, and France, for all intents and purposes, was left without a Government.

The fall of Guizot.

And the struggle was already beginning. As the night wore on, a body of people armed with pikes and staves surrounded the Foreign Office and denounced the ministry. A battalion of troops stopped the approach of the mob. In the confusion a musket was either accidentally or purposely discharged. The troops, thinking themselves attacked, fired on the people. Many persons in the crowd were struck down by their fire. The people drew the corpses of those who were slain through the city. Cries for vengeance, appeals to arms, demands for barricades, rang through street and boulevard.[2] Guizot, dismissed from his functions and yet not relieved by his successor, hurried to the Tuileries and urged that the command of the troops should be entrusted to a competent military man. He found Molé announcing his own failure, and urging that Thiers should be sent for. Bugeaud, the hero of Algeria, was, on Molé's nomination and with Guizot's consent, entrusted with the duty of restoring order.[3]

Bugeaud in command.

'Il est un peu tard,' said Bugeaud,[4] as he retired from the Tuileries to carry out his instructions. Yet more time was to be lost before he was allowed to begin. Thiers and Barrot, who was associated with

[1] *Guizot*, vol. viii. pp. 580, 581.

[2] *Guizot*, vol. viii. p. 591 *seq.* *Lamartine*, vol. i. p. 96.

[3] I have followed Guizot's account, which differs in some respects from Lamartine's. Cf. *Garnier Pagès*, vol. iv. pp. 221-414.

[4] *Guizot*, vol. viii. p. 503.

Thiers in the new ministry, desired to make one more effort to preserve order without employing force. Odilon Barrot, in particular, ran through the boulevards, and used all the influence of his presence and his voice in support of peace. Like Bugeaud, he was 'un peu tard.' His appointment to office on the 21st would have conciliated a people and stopped a revolution. On the 23rd, the tide which had overwhelmed the ministry had already swept past good Liberals like Barrot and Thiers. New men were required in a new crisis; and, with an instinct as remarkable as it was unforeseen, the people were clamouring for Lamartine.[1] Louis Philippe, however, had no intention of sending for Lamartine. He imagined that he had to deal with a constitutional crisis; he could not persuade himself that he was confronted by a revolution. On the evening of the 23rd of February, while the tocsin was summoning the populace to arms, he saw nothing but an *émeute*. On the morning of the 24th, while the people were pillaging the Palais Royal and firing the edifice, Bugeaud was forced to stand idly by without stopping the catastrophe. 31,000 troops were collected in Paris for the defence of the monarchy;[2] the victor of Algeria had been nominated to their command; and the troops were wearied and disheartened by forty-eight hours of inaction, their commander was paralysed by the orders of his king.[3]

But the awakening soon came. M. de Rémusat burst on the Royal family at breakfast, and revealed the naked truth. Troops and people were fighting within 300 paces of his breakfast table. Aware at last of the situation, the King put on his uniform, mounted his horse, and showed himself to his troops. The troops were cold, and the National Guard hostile. Dismayed

[1] *Lamartine*, vol. i. p. 114.
[2] *Guizot*, vol. viii. pp. 575 *note*.
[3] *Lamartine*, vol. i. pp. 118, 136.

CHAP. XXII. 1848.

The King abdicates.

by events whose gravity was at last revealed to him, the King returned with a heavy heart to his chamber. De Girardin, a journalist of repute, declared to him that his abdication could alone save the monarchy. Another came while he was still deliberating to tell him that his troops were flying before the people, and the King abdicated in favour of his grandson, the Comte de Paris.[1]

The reign of Louis Philippe was over; but royalty, so some of its supporters thought, might still be saved in the person of a child. The Duchess of Orleans was a youthful widow. A young and pretty woman, accompanied by her innocent and orphan child, would, so they argued, have more influence[2] than the most eloquent speech of the ablest statesman. Accompanied by her children and escorted by her friends, the Duchess was persuaded to go to the Chamber of Deputies. Like every other step which was taken by her family during the Revolution, her move was 'un peu tard.' On the very eve of her arrival, Lamartine, surrounded by Liberal deputies urging him to save the State, had declared for a Republic. While the Princess was standing before the deputies, a boisterous mob burst into the Chamber and interrupted the debate. The Princess, forced to retire amidst the surging crowd, was separated in the confusion from her child. A rump only of the Chamber remained at their post, and voted the appointment of a Provisional Government.[3]

[1] *Lamartine*, vol. i. p. 28. Cf. *Garnier Pagès*, vol. v. p. 121 *seq.* The Duke of Orleans was thrown from his carriage on the 13th of July, 1842, and died from the effects of the fall. His death (he was the eldest of Louis Philippe's sons) left the little Comte de Paris—a child—heir to the throne. Guizot was consequently compelled to bring forward a Regency Bill to provide for the contingency of Louis Philippe's death before the Comte de Paris was of age. The bill, which was ultimately carried, gave the Duchess of Orleans the charge of her child, but conferred the Regency on the Duc de Nemours. The arrangement was not popular in France, and led to very serious attacks on the minister. His own conduct is explained in *Mémoires*, vol. vii. p. 24 *seq.*

[2] *Lamartine*, vol. i. p. 152.

[3] *Ibid.*, pp. 161, 170, 179, 213, 219.

The remarkable Government which was thus constituted consisted of eight members, but the soul of the eight was Lamartine. At his bidding the Government, which was intended to represent the people, adjourned to the people's palace—the Hôtel de Ville. Through streets which were red with blood, surrounded by a mob intoxicated with success, Lamartine walked on foot to the Hôtel. There in a small room, with difficulty protected from the mob, the Provisional Government commenced its organisation. The army fortunately rallied behind the only men who represented order; the Republic was proclaimed; the influence of Lamartine was constantly exerted on the side of moderation. The mob, after hours of doubt, was satisfied with its victory. Passion itself was cooled by success. The establishment of the Republic meant triumph for some, safety for others, necessity for all.[1]

A Provisional Government.

In the meanwhile King and Queen fled for their lives from the throne to which they had been raised by one revolution and from which they had been hurled by another. It was creditable to the French that both the Government and the people placed no obstacle on their departure. The postmaster at Versailles placed his best horses at the King's disposal, bidding him to spare them not, but save himself. The sailors, who recognised him on the coast, facilitated his departure and prayed for his safety. An English packet-boat afforded him an asylum and carried him to Southampton.[2] His son-in-law, the King of the Belgians, gave him Claremont to reside in; and the exiled monarch gladly accepted the home in which Princess Charlotte had passed her short wedded life, and which, since the Revolution of 1830, had remained unoccupied.

The flight of Louis Philippe.

These events created a profound impression both in

[1] *Lamartine*, vol. i. pp. 222, 248, 250, 447. The concluding words in the text are Lamartine's.

[2] *Ibid.*, vol. ii. pp. 65, 76, 77.

CHAP. XXII. 1848.

The consequences of the Revolution in England,

England and on the Continent. The news of Louis Philippe's fall arrived in London on the evening of the 25th of February, and on the following Monday Russell gave a formal pledge that the ministry would not in any way 'meddle with the internal affairs of France.'[1] But, in truth, danger of interference was avoided by the feelings of the Foreign Minister. The consideration by which Palmerston was chiefly actuated was a distrust of Guizot. The fall of Guizot was, in his eyes, a fresh guarantee for peace. 'Continue at your post' was the short instruction which he sent to the British Minister at Paris on the first tidings of the Revolution. 'Of course the French Government cannot expect that we should send you formal credentials to a Government professedly provisional and temporary,'—so he wrote two days afterwards,—'but we shall take no hostile step towards them, and shall not bring you away as long as they continue to maintain their authority, and to use it with moderation and for purposes of order.'[2] 'I firmly believe,' so he wrote on the 29th of February to the British Minister at Berlin, 'Lamartine to mean peace and no aggression.' 'The only chance for tranquillity and order in France,' so he wrote on the same day to Ponsonby at Vienna, 'is to give support to Lamartine.'[3]

The disposition which was almost instinctive in Palmerston to support Lamartine was undoubtedly strengthened by the conduct of the Provisional Government. Lamartine indeed excited some alarm by declaring in a circular that 'the treaties of 1815 had ceased to exist.'[4] But it was soon evident that, whatever opinion he might entertain about the treaties of

[1] *Hansard*, vol. xcvi. p. 1389. The news of the Revolution reached the House of Commons on the 25th, and gave rise to the well-known incident of Hume telling the occurrence to Peel. The story is told by Cobden in *Speeches*, vol. ii. p. 548, and is retold by Mr. Morley in his *Life of Cobden*, vol. i. p. 407.

[2] Ashley's *Palmerston*, vol. ii. pp. 71, 73.

[3] *Ibid.*, pp. 74, 75.

[4] *Lamartine*, vol. ii. p. 39.

1815, he was sincerely desirous of peace with Europe and with England.[1] The army was indeed strengthened, and corps of observation were stationed on the Pyrenees, on the Alps, and on the Rhine;[2] but these arrangements were accepted by Europe as measures of defence and not of defiance. In one memorable instance, moreover, Lamartine went out of his way to display his disposition to remain on good terms with Britain. Ireland sent a deputation of Irishmen to procure his active sympathy, and Lamartine coldly told them that it was not 'convenable' for France to intervene in the affairs of a country with which she wished to remain at peace.[3]

and in Austria,

If in England the Revolution created little alarm, in Germany it occasioned an uprising which shook society to its centre; and in Austria events occurred which directly affected British foreign policy. On the 13th of March the people of Vienna rose, defeated the troops, forced Metternich to fly, and the Emperor to promise constitutional institutions.[4] Sudden and unforeseen as had been the convulsion which had cost Louis Philippe his throne, it seemed regular and natural when compared with the uprising in Vienna. Austria had been the chosen home of autocracy; the throne of the Hapsburgs had stood firm amidst disasters which would have rocked other monarchies; the ministry of Metternich had survived a dozen administrations in neighbouring countries. There were precedents for Guizot's flight; no human being, a fortnight before, would have ventured on predicting Metternich's downfall.

and in Italy.

The news of Revolution in Vienna was received with a cry of joy by the down-trodden populations of Italy. In Venice the people collected in masses before prison

[1] *Lamartine*, vol. ii. p. 32.
[2] *Ibid.*, pp. 43, 45, 46, 51.
[3] *Ante*, p. 331. Lamartine's exact words will be found in *Lamartine*, vol. ii. p. 268.
[4] *Garnier Pagès*, vol. i. p. 69.

CHAP. XXII. 1848.

and palace, and forced the Governor, on the 16th of March, to release their leaders, Tommaseo and Manin. On the 17th the tricolour was raised in the Piazza San Marco; on the 18th Manin busied himself in forming a national guard; on the 22nd he seized the Arsenal, and compelled the Austrians to evacuate the city. A Provisional Government was established, and Venice was free.

Awed by the vast garrison which Austria had established in Lombardy, Milan had heard of the Revolution in Paris, and had made no sign of sympathy.[1] But the fall of Metternich and the uprising in Venice agitated her more profoundly. The Archduke Regnier, the Austrian Viceroy, sought safety in flight; his lieutenant, seized by a mob which attacked and occupied the palace, was forced to sign decrees authorising the formation of a civic guard and entrusting the security of the city to the municipality. The general in command, however, Radetzky, declined to acknowledge an order issued by a governor in custody, and employed his troops to clear the streets and demolish the barricades which the people were already erecting. The contest thus begun on the 18th of March was renewed on the 19th. The bells rang an alarm from the steeples; the inhabitants hurled stones and tiles from the housetops on the troops. Radetzky swept the streets with grapeshot. The Milanese manufactured arms from the iron of the railings and the stones of the pavement. Pent in a walled town whose fortresses were occupied by a hostile soldiery, they had only one alternative, to conquer or to die. But the great Mantuan had told them eighteen centuries before that 'despair of life the means of living shows,' and the line proved true enough in Milan in 1848. For five days the contest proceeded. Before day broke on the sixth morning, Radetzky

[1] *Parl. Papers*, 'Affairs of Italy,' part ii. p. 143.

sullenly evacuated the town. The Austrian army sought safety in its quadrilateral fortresses beyond the Mincio.[1]

This victory, one of the greatest ever won by a people against an army, led to other results. The King of Piedmont, on the 23rd of March, threw in his lot with the Lombards, and on the 25th ordered his army to cross the Ticino; the Grand Duke of Tuscany set his troops in motion to support the cause of Italy; the Pope blessed the volunteers who set out from Rome with the same object; even Naples sent her contingent to support the Lombards;[2] and, for a month, all Europe believed that the defeat of Austria was irretrievable, and that the independence of Northern Italy was secured.

The confidence of Italy and the fears of Austria led to events of extreme importance. Italy, determined on owing her liberation to her own exertions, refused the armed assistance which Lamartine offered her from France.[3] Austria, on the contrary, forced on her knees by disaster, appealed to Palmerston for the good offices of England. Ficquelmont, who was both Metternich's successor and disciple, declared that Britain, and Britain alone, could stop the attacks upon Austria which Piedmont and Tuscany were preparing; and that, if the attacks were continued, he should attribute them to Britain.[4] Language such as this made no impression on the statesman who held the seals of the

[1] *Parl. Papers*, pp. 218, 264; *Garnier Pagès*, vol. i. pp. 78–91, 118. I have ventured in the text on giving Dryden's rendering of Virgil's fine line.

[2] *Garnier Pagès*, vol. i. pp. 147, 155, 165, 174, 188; *Parl. Papers*, part ii. pp. 184, 284, 290. I have inserted these dates, as they are frequently misstated. Sir T. Martin, for instance, assumes (1) that the insurrection broke out in Milan on the 1st of March; (2) that it preceded (*a*) the Venetian uprising, (*b*) the Revolution in Vienna; and (3) that Charles Albert hesitated 'for weeks' before he threw in his lot with the national party. All these statements (*Life of Prince Consort*, vol. ii. pp. 8, 9, 11) are erroneous.

[3] *Garnier Pagès*, vol. i. pp. 207, 230, 241, 429, 432, 439, 456.

[4] *Parl. Papers*, part ii. p. 190.

CHAP. XXII. 1848.

British Foreign Office. He told Ficquelmont that he was misinformed, and that he felt no surprise at his ignorance of British policy, considering how mistaken his opinion had proved as to the supposed contentment of the people of Lombardy and Venice.[1] He sent off a private note to the British Minister at Vienna, advising the Austrians to give up their Italian possessions quietly and at once.[2]

Austrian overtures.

It must have cost Ficquelmont a bitter pang to appeal again to a minister who was prodigal of good advice and chary of sympathy. But the increasing difficulties of Austria left him no alternative. England was the sole Power which had influence with Piedmont.[3] A word from Palmerston was worth more than 20,000 men, and Ficquelmont, on the 15th of April, urged the British Minister to arrange a suspension of hostilities, during which Hartig, an Austrian diplomatist of repute, might make overtures to the Sardinian Government.[4] Palmerston consented to propose the armistice, though he took the opportunity of reasserting his opinion that 'things have gone much too far to admit of the possibility of any future connection between the Italians and Austria.[5] But nothing came of the proposal which was thus made. Hartig, instead of addressing himself to Piedmont, busied himself with urging Lombardy and Venice to return to their allegiance. The Sardinian Government naturally refused, under such circumstances, to give Austria the respite

[1] *Parl. Papers*, part ii. p. 236.

[2] Ashley's *Palmerston*, vol. ii. p. 86.

[3] Englishmen now have, perhaps, hardly a conception of the influence which their country exerted in 1848. These are Ficquelmont's words: 'The fate of Italy is in the hands of England; you are at present the sole Power which has influence there; it is the greater because it is single.' *Parl. Papers*, part ii. p. 324. But Ficquelmont's view is thoroughly corroborated by Garnier Pagès, who writes with all the soreness of a French minister who found his own Cabinet's offers of armed assistance rejected for the sake of the passive support of England, vol. i. p. 270.

[4] *Parl. Papers, relating to Italy*, part ii. p. 333.

[5] *Ibid.*, pp. 349, 352, 353; cf. Ashley's *Palmerston*, vol. ii. p. 85.

which afforded the Austrian army its chief chance,[1] and Ficquelmont, instead of applying direct to Turin, determined on conducting a new negotiation through London. Baron Hummelauer, who was selected for the purpose, was charged with the proposal that the Lombardo-Venetian kingdom should receive a distinct national administration under the lieutenancy of an Austrian Archduke.[2] Four-and-twenty hours of the liberal atmosphere of London induced Hummelauer, however, to modify these conditions, and to offer to cut Lombardy free from its connection with the Empire.[3] Even with this condition Palmerston would have nothing to do, and Hummelauer was persuaded to return to his Government and submit to it the proposal that not merely Lombardy, but Venetia, should be severed from the Austrian Empire.[4] Terms which Austria in 1859 only conceded after defeat to the armed strength of France, seemed inadequate to Palmerston and Italy in 1848.[5]

So far everything pointed to the ultimate success of the Italian arms. A double victory, at the close of May, increased the confidence of the Italians. Peschiera fell, and Radetzky, venturing out of his lines, experienced a defeat, which seemed decisive, at Goito.[6] Yet success itself was creating division and difficulty. Jealousies were already arising between Venice and the Venetian provinces; the republican party in Italy saw with uneasiness the desire of Lombardy to throw in its fortunes with the Piedmontese monarchy. A quarrel on a miserable detail led to a fresh struggle in Naples between autocracy and the people; and the King,

The difficulties of Italy.

[1] *Parl. Papers*, part ii., p. 401.
[2] *Parl. Papers*, part ii. p. 472.
[3] *Ibid.*, p. 477, cf. *Garnier Pagès*, vol. i. p. 475.
[4] *Parl. Papers*, pp. 532, 567.
[5] The terms which Hummelauer offered through Palmerston were offered by Austria on the 13th of June direct to the Provisional Government of Lombardy, but were rejected on the 18th of June. *Garnier Pagès*, vol. i. p. 470; *Parl. Papers*, part ii. p. 609.
[6] *Parl. Papers*, part ii. pp. 550, 551.

CHAP. XXII. 1848.

winning the victory, recalled both troops and fleet from Northern Italy.[1] Even the Pope displayed an increasing reluctance to take part in an armed struggle with Austria.[2] On the other hand, whatever distrust the Austrians might feel for the Emperor, they had a bitter hatred of their Italian fellow-subjects. Austrian reinforcements were accordingly poured into Radetzky's position till his army became equal or superior to its opponents. But the Austrians had a greater advantage than they derived from the defection of Naples and from their own reinforcements. Like the English at the Boyne, they were led by a competent general. Radetzky had been forced into one premature movement by the necessities of Peschiera. He did not commit a second error. Instead of attempting a fresh advance towards Lombardy, he threw himself on the forces which blocked his road towards Venice. Vicenza capitulated on the 11th of June; Padua immediately followed its example. Treviso surrendered on the 14th,[3] and Venetia, with the exception of Venice, was practically again subjected to Austrian authority.[4]

Lombardy reconquered.

These great successes, however, did not tempt Radetzky into the error of a premature movement. Awaiting his reinforcements, he let a month pass before he delivered his final blow. At last, on the 22nd of July, he moved out of his fortresses, and struck hard at the strong position which the Piedmontese army held on his right flank. The battle which then ensued raged for three days. The Piedmontese, driven out of

[1] The quarrel arose on the miserable question whether the deputies should swear to be faithful to the Constitution as it shall be developed and modified by the two Chambers together with the King, or whether the words modified and reformed should be substituted. This wretched detail caused a contest which enabled Bomba to recover his authority in Naples, to reduce Sicily to submission, and to withdraw 20,000 men from the seat of war. What mighty issues turn on the use of little words! *Parl. Papers*, part ii. pp. 512, 546.

[2] *Ibid.*, pp. 421, 438; *Garnier Pagès*, vol. i. p. 307.

[3] *Parl. Papers*, pp. 599, 617.

[4] *Ibid.*, part iii. p. 3.

Custozza, which gave the name to the engagement, hurriedly retreated across the Mincio. Radetzky followed up the retiring columns and arrived with a victorious army before Milan. The city, which had heroically driven out its garrison was surrendered without a struggle by the King of Piedmont.[1]

This victory practically sealed the fate of Lombardy. Alone, Italy had no chance of further resisting Austrian progress. But there was one succour which it seemed still possible for her to obtain. In the hour of her defeat, Piedmont turned for the help which she had refused at the moment of her victory, and begged that a French army might enter Italy. But new statesmen and new ideas by this time regulated the counsels of France. The Provisional Government of February had fallen in June, and Lamartine, after a brief and brilliant rule, had faded like a meteor into obscurity. The Provisional Government had in fact, from its first formation, been characterised by one weakness. It was an attempt to combine in one Cabinet hostile elements which were incapable of fusion. Between Lamartine who animated its policy, and Louis Blanc who occupied a place in its council chamber, there was nothing in common but a name. Both professed an attachment to republican institutions. But the republic which Lamartine desired was a revival of the monarchy without the monarch; the republic at which Louis Blanc aimed was the sovereignty of the people. This radical distinction was certain sooner or later to lead to disagreement. The general election which immediately followed the Revolution returned an Assembly animated by the moderate views of Lamartine.[2] Louis Blanc was at once excluded from office,[3] and the reins of power were confided to moderate men alone. It

Piedmont appeals to France.

The state of France.

[1] *Parl. Papers*, part iii. pp. 77, 80, 82, 84, 115, 132.

[2] *Lamartine*, vol. ii. p. 359.

[3] *Ibid.*, p. 419.

CHAP. XXII. 1848.

could hardly be expected that the mob of Paris would quietly tolerate an alteration which symbolised its own defeat. On the advice of Louis Blanc, the Provisional Government had undertaken to provide work for the people. His retirement indicated that the work might be taken away from them. Influenced by this consideration, the mob rose on the 15th of May and swept into the Chamber. After hours of anxiety, the rising was suppressed.[1] But, in the following month, a new rising of a more formidable character occurred. Amidst the roar of battle, the Assembly voted supreme power to Cavaignac, a general whom Lamartine had himself selected for the command of Paris. The foreign and domestic policy of France was thus entrusted to a military man.[2]

Cavaignac Dictator.

It was thus to Cavaignac, and not to Lamartine, that Italy was forced to turn in the hour of her defeat; and Cavaignac, instead of flying to her assistance, offered to join with England in mediating between her and her conquerors.[3] France and England had no difficulty in agreeing among themselves on the terms which they should offer to the combatants. Palmerston imagined, or professed to believe, that Austria, in the hour of her victory, would be ready to renew the offer which she had made in the crisis of her defeat.[4] But Austria, though she consented to negotiate, declined to adopt the British basis.[5] Hostilities were suspended, but no other steps were taken to effect a durable arrangement. Other Powers, Germany and Prussia, with Austrian sympathies, desired in the interval to range themselves with France and England in the task of peacemaking.[6] At last, on the 25th of September, the Austrian ministry

British and French mediation.

[1] For a further reference to the fighting in Paris, see Malmesbury's *Memoirs of an Ex-Minister*, p. 171, and cf. *Garnier Pagès*, vol. ix. p. 175 *seq.* and vol. xi. p. 430 *seq.*

[2] *Lamartine*, vol. ii. p. 488.
[3] *Parl. Papers*, part iii. p. 109.
[4] *Ibid.*, part iii. p. 98.
[5] *Ibid*, p. 245; cf. p. 482.
[6] *Ibid.*, p. 424.

formally declared that no cession of territory would be made by Austria.[1] The minister who had won the game had no intention of surrendering the stakes to his enemy.

If the great drama which was being played on the theatre of Europe had occupied only Italy as a stage, this declaration must necessarily have terminated the Italian uprising. Unfortunately for Austria, however, Italy was not the only portion of the Empire whose people had long sighed for freer atmosphere. For twenty years Hungary had desired constitutional government. In the autumn of 1847 the Liberal members of the Diet, led by Kossuth, carried an address against the administration ;[2] and, encouraged by their victory, proceeded to the consideration of further reforms. While they were still occupied with these labours, news arrived of the startling events which had occurred at Paris. Kossuth at once advised the Diet to insist on a radical change of system and the appointment of a responsible ministry.[3] The Emperor, in the presence of revolution in Vienna, was unable to resist the Diet, and the demand which Kossuth had formulated was consequently conceded. A ministry of which Count Batthyany was the head, and in which Kossuth regulated the finances, was appointed.[4] This concession, made by a reluctant but impotent autocrat, made Hungary autonomous. Even, however, in Hungary, home rule was not universally popular. The territory which we know as Hungary is peopled by mixed races. In the south the Magyars predominate, in the north the Slaves are the most

Revolution in Hungary.

[1] *Parl. Papers*, p. 455.

[2] *Parl. Papers relating to Hungary*, p. 7.

[3] *Ibid.*, p. 34. The Diet threw aside its ordinary business, and at Kossuth's bidding, in an incredibly short time, passed thirty-one Acts, which 'effected a radical change in the Hungarian Constitution, and in the future independence of the kingdom.' The Acts are summarised by Mr. Blackwell in a despatch from which this extract is taken. *Parl. Papers*, p. 65. Mr. Blackwell's papers are singularly exhaustive and able.

[4] *Ibid.*, p. 52.

CHAP. XXII. 1848.

numerous. But, in immediate contiguity to Southern Hungary, the annexed territories of Slavonia and Croatia are inhabited by a purely Slavonic people. These men saw in the autonomy of Hungary the supremacy of the Magyars, while they desired independence of their own. In the beginning of March they elected Baron Joseph Jellachich as their principal magistrate or Ban, and proclaimed their own independence.[1]

Magyar and Slavonic jealousy.

Thus, from the outset, revolution in Hungary was complicated by the aspirations of rival races. The Hungarians at once demanded that the Ban of Croatia should place himself under the orders of their own Palatine. The impotent Government at Vienna professed to comply with their wish, and instructions were sent to Jellachich to submit. But the Ban was privately informed that the Imperial Government hoped for his disobedience; and Jellachich, interpreting his instructions by the private intimation, naturally declined to yield to the Hungarian demand. Supported by Austria, he as naturally desired to restore the authority of the Emperor. Thus, while the Italian and Magyar subjects of Austria were either fighting for or compassing their own independence, the Slavonic races were endeavouring to maintain the integrity of the Empire.[2]

The turbulent inhabitants of the hilly countries which lie upon the frontiers of the Ottoman and Austrian Empires are always ready to appeal to arms. At the close of August 1848, Jellachich collected a force to march upon Pesth. Even in her decay, Austria could not tolerate civil war among her own subjects; and she sent General Lamberg to Pesth to negotiate an arrangement. He arrived at the end of September: but the Diet at once disowned his authority; and an unknown assassin, translating its language into action, stabbed him to death in the public street. At the time of this

[1] *Parl. Papers*, pp. 49, 58, 60. [2] *Ibid.*, pp. 72, 78, 81.

shameful murder, however, Austria had apparently regained some of her lost authority. She had reasserted, through Radetzky, her supremacy in Italy; and her Emperor, who had fled to Innspruck in the spring, had lately returned to Vienna. He ventured on attempting one last act of authority: on the 3rd of October he dissolved the Hungarian Diet; and, placing Hungary under martial law, appointed Jellachich to the supreme command. His action excited a memorable response. Vienna plainly understood that the cause of Jellachich was the cause of autocracy; that Hungary was in arms for freedom; and, rising against its rulers, forced the Emperor to fly to Olmütz.[1]

The second Revolution in Vienna.

The Emperor had fled, Vienna was in revolt. Jellachich, posing as the supporter of the Empire, laid siege to the rebellious city. Kossuth, identifying his cause with that of the Viennese, moved to her assistance. The first advantage was with Jellachich. Vienna at the end of October fell;[2] and Jellachich, co-operating with Windischgratz, the commander of the Imperial army, invaded Hungary. The operations in that province were attended in the first instance with fresh Austrian successes, but the victories of his generals did not restore the authority of the Emperor. Palmerston had for months been advising him to resign his sceptre into firmer hands.[3] On the 2nd of December, the Emperor, acting on this counsel, abdicated in favour of his nephew, Francis Joseph, a lad of sixteen. The prince thus raised to a throne shaken by revolution in Italy and Hungary was fated to see his empire bereft of its Italian provinces and stripped of its supremacy

[1] *Parl. Papers*, pp. 82-91.

[2] *Ibid.*, p. 97.

[3] Ashley's *Palmerston*, vol. ii. pp. 85-87. Palmerston never measured his words when he wrote about royal personages. In 1846 he described the man who became two months afterwards King of Spain as an absolute and Absolutist fool. In 1848 he described the Emperor of Austria as the next thing to an idiot! Is it necessary for a Foreign Minister, even in his private correspondence, to write in such a way?

CHAP. XXII. 1848.

in Germany. Yet Austria and its emperors are apparently capable of surviving misfortunes which would be ruinous to other states and other rulers. The lad who ascended the throne amidst revolution, and who was destined in two memorable wars to experience defeat, will be remembered for a reign of unusual length and of unusual prosperity.

The accession of Francis Joseph.

At the time of the new Emperor's accession in 1848, the immediate danger to the Empire seemed greatest in Hungary. Every bulletin, indeed, announced a fresh Austrian success. Every despatch which Ponsonby wrote to Palmerston detailed a new victory. The bulletins of princes and the despatches of ambassadors, however, require to be read between the lines; and, before January was over, the Austrian forces, which were nominally pursuing the flying Hungarians in Transylvania, were only saved from disaster by a Russian corps crossing the frontier and moving to their assistance.[1] Even Russian aid did not turn the balance; and at last, on the 10th of March, a Polish general, Bem, who commanded the insurgents in Transylvania, inflicted a severe defeat on Russia and Austria at Hermannstadt.[2]

The embarrassing difficulty which Austria encountered in Hungary infused new heart into the Italians. They had seen with regret the conclusion of an armistice; they saw with dismay that the terms of the armistice were not observed by the combatants. Austria, complaining that the Piedmontese fleet had not retired from the Adriatic, refused to give up the military armaments which had been ceded to her at Peschiera.[3] Radetzky, dominant at Milan, imposed a fine of millions of livres on the chief inhabitants of the town.[4] These occurrences increased the prevailing

Increasing excitement in Italy.

[1] *Parl. Papers relating to Hungary*, pp. 134, 135.
[2] *Ibid.*, p. 169.
[3] *Parl. Papers elating to Italy*, part iii. p. 490.
[4] *Ibid.*, pp. 592, 634.

bitterness. Italians in every province longed for a renewal of the struggle. The Romans, finding that the Pope was reluctant to move, rose against their rulers, struck Rossi, his minister, dead on the steps of the Cancelleria,[1] and forced the Pope to fly to Gaeta. The armistice still continued; Brussels even was appointed as a trysting-place for the Conference; but the negotiations for which the armistice had been concluded, and for which the Conference had been arranged, were perpetually postponed.

Delays of this kind were advantageous to Austria, and therefore irritating to Italy. The war party in Piedmont constantly acquired greater importance, and the King found it necessary to adapt his phrases to its aspirations. In opening the Chamber on the 1st of February, 1849, he talked of the confidence which animated a reorganised army, of the prospect of resuming the war with firm hopes of victory, and of the sacrifices which the nation was still prepared to make. His speech was answered by the Chamber in a still more warlike address; and the deputies, forgetting the responsibilities of their position, clamoured for immediate war. These utterances on the part of monarch and chamber made the preservation of peace almost impossible. The sole chance of preserving it lay in the immediate commencement of the Conference at Brussels; and Austria showed no signs of appointing an envoy to represent her. She was at last persuaded to send a diplomatist, Count Colloredo, to London, to discuss the possibilities of the negotiation. But Colloredo, instead of entering on the discussion, presented an

The war resumed,

[1] *Parl. Papers relating to Italy*, p. 607; cf. *Guizot*, vol. viii. p. 407. Guizot has left a beautiful character of Rossi, in which he applies to him Villars' words on Marshal Berwick's death at Philipsbourg: 'J'avais toujours bien dit que cet homme-là était plus heureux que moi.' La mort de M. Rossi peut inspirer la même envie, et il était digne du même bonheur,' *ibid.*, p. 415. For Rossi, see also *Hansard*, cv. 370, and Pasolini's *Memoirs*.

CHAP. XXII. 1849.

angry remonstrance on the tone of the royal speech at Turin, and made a new declaration that Austria would not enter the Conference at all until she was assured that no cession of territory would be required of her. This threat made it perhaps impossible for the King of Sardinia to rein in his eager subjects. In an evil hour for Italy and himself, on the 12th of March he gave notice of the conclusion of the armistice. On the 20th, when the required eight days' notice had expired, he moved out of his lines at Novara, and crossed the Ticino. He had not even attended to the gospel precept of weighing his own strength and that of his enemy. Radetzky at once pierced his lines, forced him to retreat, and defeated him at Novara. Monarch and nation were both prostrated by the blow. Charles Albert abdicated. His son, Victor Emmanuel, concluded peace on the terms dictated to him by his enemy;[1] and for another ten years Italy was at the mercy of Austria.

and terminated.

Palmerston's Italian policy.

Throughout these occurrences Britain, with Palmerston as Foreign Minister, had pursued a remarkable policy. He had never concealed his sympathy with the Italians, and his sense of the justice and the hopefulness of their cause. When Radetzky was beaten, he had urged Austria to cede Venice. When Radetzky was victorious, he had done his best to procure the cession of Lombardy. Even after Novara, he endeavoured to moderate the demands of Austria. The attitude which he thus assumed undoubtedly encouraged Piedmont to persevere in a struggle when she had better have made terms; and his support, therefore, in one sense, did Italy more harm than good. Yet, in a higher sense, the contest of 1848, though it ended in disaster and failure, did more for Italy than

[1] For authority for these statements see *Parl. Papers relating to Italy*, part iv. pp. 108, 138, 178, 199, 226, 227, 229.

any compromise; since it won for her the respect and sympathy of Europe. For autocracy the decisive victory did not come one moment too soon. Almost at the time at which the news reached Vienna that the Italian uprising was practically crushed, intelligence arrived of the defeat of the Russians and Austrians in Transylvania. It was apparent that Austria, though she had crushed Italy, could not hope to secure the restoration of her authority in Hungary, and, in her distress, she turned to Russia for further assistance. She did not turn in vain. Russia knew that Polish troops were fighting in the ranks of the insurgents; she saw that the chief Hungarian successes had been won by a general of Polish birth. She identified the cause of Hungary with that of Poland, and feared that Hungarian successes would lead to a fresh insurrection in her own territory. Russia, therefore, was ready to place Paskievitsch, the most famous of her generals, and 120,000 of her troops, at the disposal of the autocrat at Vienna. She was prepared to anticipate a fresh insurrection in Poland by the old familiar remedy of stamping out revolution in Hungary.[1]

Russia interferes in Hungary.

Russian help gave a new character to the struggle. Kossuth, indeed, persuaded the Hungarian Diet to denounce the House of Hapsburg as perjured in the sight of God and man, and to decree its deposition;[2] and the Hungarians thenceforward fought not for their rights under the House of Austria, but for their separation from the Empire. The contest, however, was from the first hopeless. The victory of Radetzky and the Russian advance had combined to secure success for the new Austrian Emperor. The Hungarians had the satisfaction of maintaining a gallant struggle for several months. An outbreak of cholera in the Russo-Austrian

The Hungarians defeated.

[1] *Parl. Papers relating to Hungary*, pp. 169, 185, 192, 194.

[2] *Ibid.*, pp. 193, 256, 264.

CHAP. XXII. 1849.

army[1] increased to a certain extent the difficulties of the allies. But the unequal contest could not long continue. In July and August the Hungarians suffered a succession of reverses. Kossuth, despairing of success, surrendered the supreme power to a military man, Georgey. The latter, surrounded by the enemy's forces, and beaten at Temeswar, was forced to surrender. Comorn, the last remaining stronghold of Hungary, capitulated, and autocracy was able to announce the conclusion of the struggle.[2]

Palmerston's policy towards Hungary.

Palmerston had repeated in this case the policy which he had pursued in respect to Italy. When the fortune of war declared against Hungary he had urged Austria to consent to some arrangement which would satisfy the national feeling of the Hungarians, and would maintain unimpaired the bond of union which has so long connected Hungary with the Austrian crown.[3] When the contest was concluded, he had urged the Austrian Government to 'make a generous use of the successes which it has obtained,' and to pay 'due regard to the ancient constitutional rights of Hungary.'[4] He received from Schwarzenberg, the Austrian minister, a reply which ought to have taught him that statesmen unprepared to enforce their counsels had better be cautious about offering their advice. 'The world,' wrote Schwarzenberg, 'is agitated by a spirit of general subversion. England herself is not exempt from the influence of this spirit; witness Canada, the island of Cefalonia, and finally, unhappy Ireland. But, wherever revolt breaks out within the vast limits of the British Empire, the English Government always knows how to maintain the authority of the law, were it even at the price of torrents of blood. It is not for us to blame her. Whatever may be the opinion which

[1] *Parl. Papers*, p. 253.
[2] *Ibid.*, pp. 323, 347, 387.
[3] *Ibid.*, p. 286.
[4] *Ibid.*, p. 348.

we form as to . . . . the measures of repression employed by the British Government, ... we consider it our duty to refrain from expressing that opinion, persuaded as we are that persons are apt to fall into gross errors in making themselves judges of the often so complicated position of foreign nations.'[1]

To this despatch Palmerston did not even venture to reply; and the Austrians, secure in their victory, proceeded to wash out rebellion with blood. Even before victory was assured, Haynau, the Austrian general, had threatened to reduce Pesth to 'a heap of ashes,' if even only a part of its inhabitants transgressed the rules which he saw fit to impose upon their conduct. 'Death, at the shortest notice, without distinction of rank or sex, shall be the portion of everyone, who by word, deed, or the wearing of revolutionary badges, shall dare to support the cause of the rebels.'[2] When victory was secure, still more violent remedies were applied to disorder. Forty or fifty officers were summarily shot; one lady was ordered to sweep the streets of Temeswar; another lady was stripped and flogged by the soldiery. Many of the leading Hungarians were hanged; and Louis Batthyany, who had presided over the Hungarian ministry, only escaped hanging by inflicting a wound on his neck which procured him a more honourable death—he was shot.[3]

Austrian reprisals.

Austrian vengeance, however, was not satisfied with consigning an illustrious statesman to death and with hanging patriots by the score. It desired more victims, and it saw with impatience that thousands of the Hungarians had crossed the frontier and entered Turkish territory. Kossuth himself, Bem, Dembinski,

[1] *Parl. Papers relating to Hungary*, p. 386.

[2] *Ibid.*, pp. 288, 303. If more than ten persons were gathered together in the streets and did not disperse at the first summons, the military patrol were ordered to fire on them. *Ibid.* p. 304.

[3] *Ibid.*, pp. 387, 390; cf. Mr. (afterwards Sir A.) Cockburn's speech in *Hansard*, cviii. 509, in which a category of Austrian executions is given.

CHAP. XXII. 1849.

a Polish general, and 5,000 others, thus sought safety. Autocracy at Venice and St. Petersburg was concerned to learn that these men, whose names were on the lips of every patriot, had thus escaped from its clutches. The Porte, however, was a weak and timid power, and autocratic sovereigns never doubted that it would be compelled to attend to their directions. The treaty of Passarowitz had pledged Austria and Turkey to abstain from sheltering rebels or malcontents. The treaty of Kainardji had pledged Russia and Turkey to deliver up, or at least to banish, disobedient and traitorous subjects.[1] On the faith of these two treaties, Russia and Austria presented simultaneous demands at the Porte for the surrender of the fugitives. Russia even sent a special envoy to Constantinople to enforce her demand. Fortunately, the British Embassy at the Porte was held by Stratford Canning, the only Englishman of the century who has made a first-rate reputation as a diplomatist. He at once advised the Porte to refuse the demand. The Porte, without courage to adopt his advice, took the temporising course of sending a special mission to St. Petersburg. The Austrian and Russian Ambassadors, irritated at the delay, abruptly broke off diplomatic relations with Turkey. Their irritation was perhaps natural. The move of the Porte gave time for the Western Powers to interfere. Palmerston addressed a strong remonstrance to Vienna and St. Petersburg, and ordered the British fleet to move up to the Dardanelles. De Tocqueville, who held the seals of the French Foreign Office, imitated his example, and despatched a squadron to Smyrna. The autocrats of Vienna and St. Petersburg, exhausted with the struggle in which they had been engaged, were in no mood for a fresh war with the Western

Hungarian refugees in Turkey.

The demand for their extradition refused.

[1] *Parl. Papers.* 1851, 'Correspondence respecting Refugees from Hungary,' pp. 28–30.

Powers. Russia, with some dexterity, availed herself of the Turkish mission to St. Petersburg to modify her demand, and ask only for the expulsion of Polish refugees from Turkish territory. Austria, instead of demanding the surrender of the fugitives, only asked for the detention of some thirty of them in the interior of Turkey; and the Western Powers, having effected their chief object, consented to withdraw their fleets from their menacing position.[1]

During these negotiations, Palmerston had displayed a vigorous determination which had raised his reputation both in England and on the Continent. His interference on previous occasions had frequently been with weak Powers, and his conduct towards such nations as Portugal or Naples had occasionally borne too close a resemblance to the tyranny which a strong boy commonly exercises over a weak one. But it was impossible to apply this criticism to his policy in 1848 and 1849. During those years he stood at bay against the great autocratic Powers of Europe, and he retrieved the discredit which attached to his failure in Hungary and Italy by the success of his efforts to induce the Porte to resist the demands of its powerful neighbours.

Palmerston, however, was probably stimulated by his achievement to enter upon a more doubtful under-

[1] *Parl. Papers*, pp. 4, 10, 16, 17, 28, 42, 53, 71, 119; cf. Ashley's *Palmerston*, vol. ii. pp. 107–120. It ought, perhaps, to be added that the correspondence did not end at this point. Palmerston objected to the new Austrian demand that the principal refugees should be imprisoned by Turkey, and it was only after two years' negotiation that the Porte mustered up courage to liberate Kossuth. Throughout the negotiation Palmerston was as badly represented by Ponsonby at Vienna as he was ably supported by S. Canning at Constantinople. To Ponsonby he administered a severe and deserved reproof. Ashley's *Palmerston*, vol. ii. p. 122. It should moreover be stated that a delicate question incidentally rose from Sir W. Parker, who commanded the British fleet, taking up a position inside the Dardanelles. *Parl. Papers*, p. 61. Palmerston's official commentary on this proceeding will be found in *ibid.*, p. 67; his private commentary in Ashley's *Palmerston*, vol. ii. p. 120; the Austrian protest against the act in *Parl. Papers*, p. 74; the Russian in *ibid.*, p. 81.

CHAP. XXII. 1850.

taking. The British fleet was still in the East, ready for any further service required in that quarter; and the disorganised condition of the Greek Government made it easy to discover grounds for new interference.

The state of Greece.

Greece, in fact, had been a source of anxiety to British statesmen from the first establishment of the new kingdom. Otho of Bavaria, who wore the crown, had none of the qualifications which fitted him for his position. Training and temperament prevented him from entrusting the government to his ministers. He had neither the ability nor the vigour which would have enabled him to have conducted it himself. The affairs of Greece naturally fell into disorder, and the representatives of European Powers at Athens struggled one against another for their own interests. The British Minister, Sir Edmund Lyons, whom Guizot regarded as a rude and imperious sailor, ascribed all the evils of the country to the monarch, and thought that constitutional revolution was the only remedy for the kingdom.[1] He had his way; in September 1843 the people of Athens rose, rang the alarm, and, assisted by the troops, proclaimed the Constitution.[2]

The Revolution in 1843.

Seven years before constitutional government had been thus established, Otho, with the ideas of a king and the means of a bankrupt, had commenced building a palace at Athens. Many a Naboth had a field which it was convenient to add to the Royal garden; and the King seized the property which he required without taking the trouble of paying for it. Among others, Mr. Finlay, a British subject, who had devoted much of his life to the Greek cause, and whose histories preserve his memory, had purchased a plot of land which, coming within the King's ring fence, the King seized. Finlay, failing to obtain redress, appealed in 1842 to Aberdeen, who instructed Lyons to press the claim on

Mr. Finlay's claim.

[1] *Guizot*, vol. vi. p. 259. [2] *Ibid.*, vol. vii. p. 276 *et seq.*

the attention of the Greek Government. But the instructions were not very urgent, and Lyons' movements, after the Revolution of 1843, were not very rapid. He either made no report on the subject from 1843 to July 1846, or, if he made any report, the Foreign Office never thought proper to publish it. On the 1st of July, 1846, he admitted that his remonstrance had failed, and that he had been unable to obtain redress for Finlay.

His report reached London at a critical moment. Palmerston had just resumed his seat at the Foreign Office; he seized the opportunity of writing a little essay on the duties of kings and the rights of British subjects. Even in despotic monarchies, land was not arbitrarily wrested from private individuals for the mere convenience of the sovereign; and, if Otho cared to go to Potsdam, he could still see the famous mill which testified to the scrupulous regard paid by the Great Frederick to the rights of one of the humblest of his subjects. The conduct of Frederick the Great might worthily be imitated by Otho the Little. In any event, Palmerston expressed 'the just hope and confident expectation of Her Majesty's Government, that no further delay will take place in affording redress to an aggrieved British subject.'[1]

Greece, in the first instance, displayed every disposition to pay attention to the remonstrance. Colletti, the Greek minister, could not indeed understand why such a fuss was made about a paltry piece of land. But he professed his readiness to leave the decision of the dispute to some practical man, in accordance with the provisions of the law. Finlay, on his part, accepted the proposition; and Palmerston probably concluded

[1] *Parl. Papers relating to Greece*, p. 16. Palmerston was so much pleased with his *sans souci* argument, that he subsequently reproduced it in the House of Commons. *Hansard*, vol. cxii. p. 391.

CHAP. XXII. 1850.

that his strong remonstrance had borne fruit, and that the claims of an aggrieved British subject were making fair way towards settlement.

But the 'law's delays,' and the devices of those who administer the laws, are numerous. The promise of arbitration was forgotten; Finlay's claims were shelved; and it required in 1847 another despatch from Palmerston, threatening measures which would be painful to England and disagreeable to Greece, to force the Greek minister into another step. He invited Finlay to lay his case before the nomarch of Athens, and offered him, through that official, a drachma a pic for his land.[1] Finlay himself valued his land at 15 or 16 drachmas a pic; or, as he had 3,000 pics, at 45,000 to 48,000 drachmas, and naturally refused the nomarch's offer. The Greek Government, after a long correspondence, fell back on its offer to arbitrate. But, as it insisted on retaining the appointment of the umpire in its own hands, Palmerston summarily rejected the proposal.[2]

Other claims.

Other causes of difference had, in the meanwhile, arisen. In October 1846 a band of brigands, disguised as Greek soldiers, seized the Custom House at Salcina, plundered six boats belonging to the Ionian Islands, robbed the whole of their crews, and beat some of them.[3] A little before, Stellio Stumachi, an Ionian suspected of robbery, was—so it was alleged—thrown into prison, tortured and bastinadoed, for the purpose of extorting from him a confession of the crime:[4] while, in January 1848, some Greek soldiers at Patras arrested the coxswain and boat's crew of H.M.S. 'Fantôme.'[5] These outrages were very serious. But they have been

[1] A pic is 27 inches, a drachma 8½*d.*

[2] *Parl. Papers*, p. 45.

[3] *Ibid.*, pp. 177–186.

[4] *Ibid.*, p. 193 *sq.* The case against Stumachi's version of the story is excellently put by Stanley, who calls Stumachi 'this highly respectable burglar.' *Hansard*, vol. cxi. p. 1300.

[5] *Parl. Papers*, p. 275.

forgotten by most people, whose attention has been concentrated on the case of M. Pacifico, or Don Pacifico, as he is usually called, a Jew, a native of Gibraltar, who was the victim of an atrocious riot in the spring of 1847.

It had been the custom of the Greeks for many years to celebrate the feast of Easter by burning an effigy of Judas Iscariot. It happened that, at Easter 1847, one of the Rothschilds was staying at Athens; and the Greek Government, unwilling to insult the wealthiest capitalist in Europe, forbade the burning of the effigy. The Greeks, deprived of the privilege of burning the image of a dead Jew, determined to avenge themselves by an attack on a living one; and, after service on Easter Sunday, broke into Don Pacifico's house, 'swearing dreadfully,' beat his wife and children, smashed his furniture, tore his papers to pieces, and robbed him of his money and jewels. Palmerston, informed of the outrage, at once instructed Lyons to obtain from Don Pacifico a detailed statement of his losses, and, if the claim seemed reasonable, to require the Greek Government to discharge it. Perhaps it was too much to expect either Jew or Christian to forego such an opportunity of improving his position. Don Pacifico sent in a claim for 31,500*l*. The greater part of it was made for some papers which had been destroyed, and which were the original vouchers for a claim which Don Pacifico had for years been vainly pressing on the Portuguese Government.[1] Palmerston adopted the demand which Don Pacifico thus made. He ordered application after application to be addressed to the Greek Government for its settlement. Nothing, however, came of his representations. From March 1847 to January 1850, the British Minister failed to obtain redress; and Palmerston, weary of a protracted correspondence, decided on bringing matters to an issue

Don Pacifico.

The British fleet sent to Greece.

[1] Don Pacifico was Portuguese Consul-General at Athens.

CHAP. XXII. 1850.

by despatching the British fleet, which had finished its work at the Dardanelles, to the neighbourhood of Athens.[1]

Sir W. Parker, who commanded the British fleet in the Mediterranean, arrived off Salamis on the 11th of January. He landed at the Piræus on the 15th, and with Mr. Wyse, who had replaced Lyons at Athens, sought an interview on urgent affairs with the Greek minister. It was now time, so Wyse told the Greek, that the claims should be settled; if they were not settled in twenty-four hours, he should present a formal demand for their settlement; and, if they were not settled in twenty-four hours more, he would not answer for the consequences. The claims were not settled; and Parker, in compliance with Wyse's instructions, proceeded to put a little pressure on the Greek Government by seizing a few gunboats.[2] The gunboats,

The operations of the fleet.

[1] Sir Theodore Martin says: 'Neither Mr. Finlay nor Don Pacifico had sought to establish their claims in the courts of the country.' *Life of Prince Consort*, vol. ii. p. 270. Mr. McCarthy uses almost the same words: 'Neither Don Pacifico nor Mr. Finlay had appealed to the law courts at all.' *History of our own Times*, vol. ii. p. 43. Both authors have overlooked the fact that neither Don Pacifico nor Mr. Finlay had a legal remedy open to them. With respect to Don Pacifico, it is impossible to take proceedings against a mob whose constituent parts are unknown. With respect to Mr. Finlay, the Revolution of 1843 had thrown a veil over 'the unconstitutional acts of the preceding years of the monarchy;' and as he would have had no grounds of action against the Crown while the Crown was despotic, so he had no grounds of action after the Revolution for acts done while the despotism endured. *Parl. Papers*, p. 7. Such, at least, was Mr. Finlay's view, which was tacitly accepted by the Foreign Office and never contradicted by the Greek Government. It is idle to talk, therefore, of Mr. Finlay and Don Pacifico not appealing to the law courts. Mr. McCarthy further says, when, after a long lapse of time, the arbitrators came to settle the claims of Don Pacifico, it was found that he was entitled to about one-thirtieth of the sum he had originally demanded. *Ibid.* p. 48. This is quite as misleading as his other statement. Don Pacifico claimed 4,916*l.* for effects destroyed, and 26,618*l.*, the amount of his claims on Portugal, the vouchers of which had been destroyed. *Parl. Papers*, p. 57. He was assigned under the Drouyn de Lhuys Convention 4,000*l.* for his effects and 1,440*l.* for the interest on this sum, in addition to a further sum of 500*l.* (with interest 120*l.*) as compensation for his personal sufferings. It was arranged that his claim on Portugal should be referred to arbitration, and that he should only be paid on that portion of it which the Portuguese Government would have acknowledged if the vouchers had not been destroyed. *Parl. Papers*, part ii. pp. 274, 277.

[2] It was characteristic of Palmerston that, in directing an action

however, were crazy vessels, and the Greeks declined to give way. Parker accordingly proceeded to seize Greek merchant vessels exclusively engaged in Greek commerce. By the middle of February, more than forty merchantmen were in the custody of the British fleet.[1]

These drastic measures created a flutter of excitement in diplomatic circles. As soon as the news reached England, Brunnow, the Russian Ambassador at London, demanded an 'explanation of a proceeding, the serious importance of which it was impossible' not to recognise.[2] Two days afterwards, Drouyn de Lhuys, who represented the French Republic at St. James's, called on Palmerston and offered the good offices of France.[3] The offer found Palmerston in a state of irritation. The refusal of the Greek Government to yield was due, as he thought, to the advice of the representative of France. This advice was consistent with the policy which France had continuously pursued of thwarting him at Athens, and inconsistent with the duties and obligations of a good neighbour. Irritated, however, as he was, he had too much good sense to avoid the chance of extricating himself from an embarrassing situation. He accepted the French offer, and ordered Wyse to abstain from adding to the stringency of the measures which he was applying.[4] Palmerston's assent enabled the French Government to despatch Baron Gros, a diplomatist acquainted with the British Foreign Minister, to Athens.[5] Gros reached the Piræus on the 5th of March;[6] and, on the 20th, proposed to Wyse that the British, on one side, should liberate the vessels which they had seized, and that the Greeks, on the other, should pay a sum of

The mediation of France.

which very nearly precipitated a war, he could not refrain from a pun. 'If the Greek Government does not strike,' he wrote to Wyse, 'Parker must do so.' Ashley's *Palmerston*, vol. ii. p. 135.

[1] *Parl. Papers*, 1850, pp. 2, 22, 164.
[2] *Ibid.*, p. 16.
[3] *Ibid.*, p. 19.
[4] *Ibid.*, pp. 20, 36.
[5] *Ibid.*, p. 90.
[6] *Ibid.*, p. 236.

CHAP. XXII. 1850.

money to the British Minister to be distributed among the claimants. Wyse objected to this proposal on the ground that it favoured the impression that Greece was only buying back her own ships instead of complying with the demands of Britain; that it made no provision for that portion of Don Pacifico's claim which related to the debt due to him by Portugal; and that it contained no apology for the affront which had been committed in the arrest of an officer of H.M.S. 'Fantôme.'[1] But, just as the arrangement proposed by Gros was distasteful to Wyse, so the alternative suggested by Wyse was objected to by Gros. The good offices of France seemed unlikely to lead to any pacific solution of the controversy. But France was not ready to abandon her attempt without one more effort. When the news of the probable failure at Athens reached London, Drouyn de Lhuys suggested that Palmerston and he were more likely to arrive at an understanding than Wyse and Gros. On the 15th of April he produced a draft convention, to which Palmerston assented. Under the new treaty the Greek Government was to pay the sum of 8,500*l.* in satisfaction of the British demands; and on the payment of this sum the Greek merchant vessels were to be released. It was to apologise by letter for the arrest of British sailors, and on this apology the Greek gunboats were to be released; and it was to undertake to satisfy any claims which Don Pacifico had on the Portuguese Government, and which the Portuguese Government would have admitted if the vouchers in Don Pacifico's possession had not been destroyed.[2] Wyse and Gros were both instructed that this convention was to fall to the ground if, before its receipt at Athens, they had succeeded in arriving at a settlement themselves.

Unfortunately, some days before the convention

[1] *Parl. Papers*, 1850, pp. 260-266. [2] *Ibid.*, p. 272.

reached Athens, Gros and Wyse had found that it was impossible to arrive at an agreement. Wyse had consequently directed the British Admiral to resume the measures of coercion which had been temporarily suspended;[1] and the Greek Government, in the presence of a force which it was hopeless to resist, at length gave way. It consented to pay over to Wyse a sum of 330,000 drachmas, or 11,479*l.*; 180,000 drachmas to be applied to the extinction of the various claims of the British Government, and the remaining 150,000 to be set aside for the purpose of meeting any sum which it might be determined was due to Don Pacifico from Portugal, and which Portugal, if Don Pacifico's vouchers had not been destroyed, would have consented to have paid.[2]

Coercive measures renewed.

Greece yields.

This solution of the long controversy, however, brought this country to the very verge of war. France naturally thought she had been treated with the scantiest courtesy; she had gone out of her way to tender her good offices, and an arrangement had been concluded which her representative thought unfair. It appeared, moreover, that Gros, at the very last moment, had suggested a method which might have avoided the resumption of coercive measures. He had received a despatch from his own Government stating that Palmerston had promised, if a difference arose between himself and Wyse, that the dispute should be referred to London. He had engaged, if coercive measures were suspended pending the receipt of fresh instructions, that 180,000 drachmas should be provisionally lodged with Wyse. But Wyse had received no instructions from London corresponding with those which Gros had received from Paris. He refused to accept the new proposal, or to postpone the application of force;[3] and

Drouyn de Lhuys recalled.

[1] *Parl. Papers*, 1850, pp. 294, 318.
[2] *Ibid.*, pp. 372, 373.
[3] *Ibid.*, p. 360.

CHAP. XXII. 1850.

the French Government, annoyed—perhaps justly annoyed—at this conduct, recalled Drouyn de Lhuys from London.[1]

These events created a prodigious sensation in England. It was seen that for a trumpery claim of a few thousand pounds, the justice of which was doubted by many Englishmen, and which was enforced from a weak Power in a manner which many other Englishmen thought brutal, the risk of war, first with Russia and then with France, had been lightly encountered. The Lords, on Stanley's motion, formally censured the whole proceeding,[2] and the ministry was brought to the verge of ruin by the vote. But the singular circumstances which had placed the Whig ministry in office helped it in the hour of its defeat. The divisions of its opponents made it almost impossible for them to succeed to power. Some means, it was obvious, were necessary to afford it an excuse for disregarding the verdict of the Lords, and an expedient for the purpose was easily found. A few days after the decision of the Lords, Roebuck submitted a motion to the Commons approving the principles on which the foreign policy of the Government had been regulated. The terms of the motion enabled Liberals who disapproved coercion towards Greece to vote with their party with a safe conscience. The memorable speech in which Palmerston, 'from the dusk of one day to the dawn of another,' expounded and defended his whole conduct of the Foreign Office, rallied others in the defence of the man, who disliked the policy of the minister; and thus by a large majority the House adopted Roebuck's motion. The ministry and the minister were saved.[3]

The Lords censure Palmerston.

The Commons approve his conduct.

These occurrences naturally reduced the risk of

[1] *Hansard*, cxi. pp. 101, 159, 237.

[2] Stanley's speech (*Hansard*, cxi. 1293) is the best statement of the case against Palmerston. This motion was carried by 169 to 132. *Ibid.*, p. 1401.

[3] By 310 votes to 264. *Hansard*, vol. cxii. p. 739.

war. It was plain to France that, however discourteously she had been treated by Palmerston, the affront was personal and not national. The Lords had formally censured the minister; and the Commons had not ventured to reverse the censure, but had only approved the general principles of his policy. France could honourably rest satisfied with the result, and again resume her relations with England. It was fortunate that she was able to do so; for, while the roar of arms had hardly subsided in Europe, steps were in progress for instituting a great national demonstration in favour of peace. It occurred to some benevolent individuals that the progress of art might be accelerated, and that the bonds of good feeling might be strengthened, if the choicest productions of all nations could be collected in one building for public display. The idea found a warm supporter in the discreet and good Prince who was the husband of the Queen; and, though it was opposed by some men on public grounds, and by some others for private reasons, it commended itself to the sense of the people. By a fortunate inspiration, Paxton, the head gardener to the Duke of Devonshire, suggested that the building which it was necessary to erect for the purpose of the exhibition should be made of iron and glass; and a structure was accordingly provided, which was perhaps in itself more marvellous and attractive than the many beautiful and interesting objects which were ultimately collected in it.

The Great Exhibition.

In this place, however, it is impossible to describe either the building or the collections which it contained, or even to make more than the briefest reference to the opening ceremony. Never, in the many years during which Heaven had willed that she should bear rule in the world's noblest Empire, was the Queen to perform the chief part in a more impressive pageant. The day was worthy of the Queen; and the Queen, 'grateful to

CHAP. XXII. 1850.

the great God who seemed to pervade all and to bless all,' was worthy of the day. For in that hour, when the riches of a world were collected in her capital; when her husband was reaping the merited reward of exertions which had previously excited criticism and abuse; when she saw for the first time the varied produce of the many countries inhabited by strange races and influenced by various climates which submitted to her sway; when she might have been pardoned for being puffed up by the greatness of her position and the extent of her empire, she had only one thought and one desire, to give God the praise.

But it was otherwise with the crowd collected in the building. In their enthusiasm at the brilliancy of the spectacle, in their deep thankfulness at the prospects which it offered to a troubled world, they could not forget the 'frail and weak' lady, on whose 'pale'[1] brow rested the crown of so many territories; and so, as she moved through the brilliant throng, the voices of many choirs and of many people raised the joyous shout, 'God save the Queen!'

And they might well shout; for never since that winter's night in Palestine, when the old Christian story relates that angels sounded the wondrous song of peace on earth and good will toward men, had so fair a promise of peace dawned on a war-harried world. It seemed no idle fancy that war itself was passing away with that famous Captain, who, a generation before, had brought the greatest of modern wars to a conclusion, and who now walked, an old and feeble man, in the train of his Queen. In that building, through whose crystal roof the sun's rays were beaming, the colours of many nations were blended in peaceful harmony, the people of many countries were mingled in peaceful

[1] These epithets are from Thackeray's *May Day Ode.*

intercourse, the productions of many climates were collected in peaceful rivalry. The Primate was praying for peace; the Queen was proclaiming peace; the people were predicting peace. Peace! There was no peace! It was a palace of brittle glass.

INDEX

TO

THE FOURTH VOLUME.

AAR

AARGAU, the Diet at, decrees the expulsion of the Jesuits, 539
Abd-el-Kader, a fugitive in Morocco, 510
Abercromby, James (afterwards Lord Dunfermline), Speakership of, 14
Aberdeen, Earl of, accepts the Foreign Office, 115; supports Peel in 1845, 263; pacific policy of, under Peel, 338; opens negotiations for settling the Oregon question, 437; his Non-Intrusion Bill, 468; his administration of the Foreign Office under Peel, 479; his conciliatory tone on the differences with America, 491; asserts his resolve to defend British rights in Oregon, 498; offers a compromise, which is accepted, 500; tolerates the French protectorate of the Society Islands, 504; disavows Pritchard's proceedings at Tahiti, 505; answers Guizot's question of the strength of the 'saints' in the House of Commons, 507; his pacific counsels on the French difference with Morocco, 512; his perfect accord with Guizot, 513; his censure of Aston, 515; denies the right of France to regulate the marriage of Queen Isabella, 516; recommends a choice from the descendants of Philip V., 517; censures Bulwer and discloses Christina's intrigue, 522; his view of the intervention in Cracow, 529
Abinger, Lord, his sentence on Bean, 143 *n.*
Absenteeism in Ireland, 217
Address, ministerial defeat on the, in 1841, 115
Africa, horrors of the slave trade in, 71

ARM

Agricultural distress, amendments respecting, to the Address of 1850, 371
Agricultural Society, Royal, 67; its extraordinary advice to labourers, 263
Agriculture, depressed state of, in 1845, 173; effect of free trade on, 287
Albert, Prince. *See* Consort, the Prince
Alexander's 'Johnny Gibb of Gushetneuk' referred to, 466 *n.*
Algeria, the French campaign in, 509
Aliens Removal Bill, 331
Althorp, Viscount (afterwards Spencer, Earl of), his motion on impressment, 104; his reduction of the coal duties revoked, 130; his Bank Charter Act, 155; his bill for the abolition of Church rates, 416
Ambassadors, privileges of, 514
Amber, connection of, with electrical research, 184
Ampère, his electro-magnetic experiments, 188
Andover workhouse scandal, 30
Annuities, New, formed, 147
Apples, duty on, 129
Aquila, Count, favoured by Aberdeen as a suitor for Queen Isabella, 517; marries a Brazilian princess, 519
Arches, Court of, 412
Argyll, Duke of, his bill in behalf of the General Assembly, 470
Arms Act, the, of 1843, 229; motion for its renewal in 1846 withdrawn, 296
Armstrong, Sergeant, flogged to death, 100

ARM

Army (*see* Soldiers), regimental libraries provided for the, 100; suppression of duelling in the, 112
Arnold, Dr., his view of German competition, 117 *n.*; his share in the religious discussions at Oriel College, 419; his opinion of the Tractarians, 426; Broad Church views of, 431
Ashburton, Lord, sent as special commissioner to the United States, 491; his treaty with Secretary Webster, 494
Ashley, Lord (afterwards Lord Shaftesbury), obtains the appointment of the Children's Employment Commission, 37; his declaration on dueling, 113; his bill of 1842 on the mining labour question, 194; carries an address to the Crown on the education question, 196; his endeavours to secure the ten hours' clause, 199; his bill to regulate labour in print-works, 200; defeated at the general election in 1847, 202; resigns his seat, 271
Ashwell's Life of Bishop Wilberforce referred to, 435 *n.*
Assassination, epidemic of, 142 *n.*
Associations, popularity of, in 1841, 66
Aston, Arthur (afterwards Sir), intrigues against the French at the Spanish Court, 514
Attwood, Mr., his speech against the Poor Law, 30; supports the Chartists, 53; condemns the Local Police Bill, 55
Auchterarder case, 464
Auckland, Lord, First Lord of the Admiralty under Russell, 291
Auction duty repealed, 165
Australia, transportation to, 80
Austria (*see* also Vienna), abdication of the Emperor of, 565; annexation of Cracow by, 529; effects of the French Revolution on, 555; appeals to Palmerston, 557; declines to make any cession of territory, 563; demands the surrender of the Hungarian refugees in Turkey, 572

BAGOT, Bishop, his extra-episcopal appointments, 406; demands the suppression of Tract XC., 427
Balbo, Count, 541
Ballot, motions for the, 48
Bamford, Samuel, renounces Chartism, 48

BEN

Bangor, the intended union of, with St. Asaph, 409 *n.*
Bank Act of 1844, its passage, 152; connection of, with the crisis of 1847, 316; its suspension, 320; policy of the measure, 322
Bank of England, its efforts in 1836 to prevent a crisis, 20; revision of its charter in 1844, 152; scarcity of bullion at the, in 1837, 156; its position in 1846–7, 317; creates a panic by refusing advances, 320; resumes business without infringing the charter, 321; charges 8 per cent. discount, 323 *n.*
Bank of Ireland, Peel's reform of the, 159
Bankes, his opposition to the repeal of the auction duties, 167
Banking system, the, 152; history of legislation affecting the, 153
Bankruptcy laws, 90
Banks, joint-stock, formation of, 18, 154; committee of 1836, 156
Baptismal regeneration controversy. *See* Gorham
Baring, Rt. Hon. F. (afterwards Lord Northbrook), votes for a committee on the corn law, 65; his budget of 1841, 123; opposes Peel's income tax, 126
Barrot, Odilon, advises submission to the Government, 548; appeals vainly to the mob, 551
Bastardy law severed from the poor law, 193
Baths and washhouses first instituted, 114
Bathurst, Bishop, his extra-episcopal appointments, 406
Batthyany, Louis, president of Kossuth's Ministry, 563; his death, 571
Bayley, Mr., a magistrate, shot, 326
Bean, his attempt to shoot the Queen, 142 *n.*
Bem, General, defeats the Austrian and Russian allies, 566; flight of, into Turkey, 571
Bentinck, Lord G., his calculations of the growth of wheat, 61 *n.* 275; chosen to lead the opposition against Peel, 275; his obstructive tactics, 276, 282; his pretext for rejecting the Coercion Bill, 285; his bill for constructing railways in Ireland, 308; estranged from the Tories by his vote on the Jewish question, 343; proposes the reimposition of differential duties on sugar, 345; his death, 349 *n.*

BES

defends the annexation of Cracow, 530
Bessborough, Earl of, Lord-Lieutenant of Ireland, 291; his death, 328 *n.*
Bethell, Bishop, his extra-episcopal appointments, 406
Bethnal Green, insanitary state of, 24
Bible Society, the controversies on the, 399
Birmingham, Chartist riot at, 53; a debtors' prison in, 92
Bishops (see Episcopacy), votes of the, 362; appointments held by, 406; their wealth and patronage, 407; mode of their appointment, 434
Blanc, Louis, 561
Blomfield, Bishop, his extra-episcopal appointments, 406; his bill to enlarge the powers of Convocation, 438
Blue-books, increasing bulk of, 3
Boldero, Captain, his motion on flogging, 102 *n.*
Bolton, Little, overcrowding in, 25
Bonham, Mr., paid for his vote in committee, 16 *n.*
Botany Bay, transportation to, 80
Boyle, electrical discoveries of, 184
Bradshaw, his speech against the appointment of Irish Roman Catholics to office, 213 *n.*
Braintree case, 417
Brazil, treaty with, terminated, 150; price of sugar from, 294
Bresson, M., his embassy to Madrid, 517; his intrigues on the marriage question, 519; pledges Montpensier to the Infanta, 523
Bribery of members of Parliament by public companies, 16
Bricks, duty on, repealed, 372
'Bridgewater Treatises,' origin of, 432
Bright, Rt. Hon. John, joins the Corn Law League, 64; his picture of the agricultural labourer, 173; his analysis of the Russell Cabinet, 291 *n.*; returned for Manchester in 1847, 311; his satirical reference to the Jerusalem Bishopric, 428
Brindley, effect of his engineering works on Parliamentary business, 16
British influence abroad in 1848, 558
Brougham, Henry (afterwards Lord Brougham and Vaux), abuses the right of petition to repeal the income tax, 4; his rank as a parliamentary orator, 12; checks the extension of

BUR

limited liability, 20; his amendment of the insolvency law, 94; his resolution on Peel's income tax, 127; moves for a select committee on the distress, 131; his vote on O'Connell's appeal, 241; opposes Russell's Sugar Duties Bill, 294; defines the legal position of the Scotch presbytery, 466; moves a vote of thanks to Lord Ashburton, 495
Bruat, M., orders Mr. Pritchard away from Tahiti, 506
Brudenell, Lord (afterwards Lord Cardigan, which see), his severities as an officer, 103
Brunnow demands an explanation on the Greek question, 579
Buccleuch, Duke of, differs from Peel in 1845, 266; accepts the presidency of the Council, 269
Buchanan, Secretary, his negotiation with Pakenham on the Oregon question, 499
Buckingham, Duke of, joins Peel's Cabinet, 115; resigns, 141 *n.*; revolts against Peel, 270
Buckingham, James Silk, his motions on impressment, 104
Buckle, Mr., his observations on dueling, 105 *n.*; his dictum on history, 383
Budget, the, of 1842, 123; of 1843, 145; of 1844, 148; of 1845, 161; of 1846, 292; of 1848, the first, 339; the second, 342; the third, 346; the fourth, 347; of 1850, 372
Bugeaud, General, his campaign in Algeria, 510; in command at Paris, 550
Buller, Charles, opposes Peel's income tax, 128; his motion on the income tax, 167 *n.*
Bulwer, Henry Lytton (afterwards Lord Dalling), appointed Spanish Ambassador, 517; intrigues against the Bourbon marriage, 519; approves Christina's proposal of Prince Leopold, 522; is censured, *ib.*
Bulwer Lytton, Edward (afterwards Lord Lytton), 11; visits New Lanark, 44 *n.*; his affair of honour with Mr. Praed, 109
Bunsen, Baron, assists in founding the Jerusalem bishopric, 428
Bunyan, influence of, on Christian belief, 386
Burdett, Sir F., his support of Chartism, 47
Burgess, Bishop, his extra-episcopal appointments, 406

BUR

Burke, Edmund, his zeal for party, 376
Byron, Lord, his claim of benefit of clergy, 112 *n.*

CABINET, Sunday meetings of the, 444
Cabral, Costa, flight of, from Portugal, 531
Cadiz, Duke of, 521; marries Queen Isabella, 525
Calabria, insurrection in, 540
Calhoun, Secretary, his negotiation with Pakenham on the Oregon question, 498
Call, the, in the Scotch Church, 461
Camden, Earl, approves a grant to Maynooth, 248
Campbell, Lord, his efforts in behalf of the Chartist convicts, 59 *n.*; his visit to Dr. Fisher, a debtor in gaol, 93 *n.*; his failure in the Cardigan trial, 110; his vote on O'Connell's appeal, 241; Chancellor of the Duchy of Lancaster, 291; condemns the Scotch Evangelicals, 467 *n.*
— his bill on the Scotch Church question, 471
— Thomas, the poet, 13
Canada, complaints of, against the Navigation Act, 360
— Corn Bill, 141
Canning, Rt. Hon. G., his rank as a parliamentary orator, 12; his joke on the wool duties, 149 *n.*; a more eloquent statesman than Peel, 381; his promise of protection to Tahiti, 504
Canning, Stratford (afterwards Viscount Stratford de Redcliffe), advises the Porte not to surrender the Hungarian refugees, 572
Cape of Good Hope, landing of convicts resisted at the, 86; war at, 339
Capital punishment, limitation of, 73; sentence of, on a boy of nine, 74
Cardigan, Lord (*see* also Brudenell), his trial for wounding Captain Tuckett in a duel, 109
Cardwell, Rt. Hon. E. (afterwards Viscount Cardwell), elected for Liverpool in 1847, 311
Carey, Bishop, his extra-episcopal appointments, 406; his death, 409 *n.*
Carlotta, Donna, ill-feeling of Christina towards, 521
Carlyle, Thomas, his statement of

CHR

wages in Scotland in 1843, 26; his estimate of Robert Owen, 43 *n.*; his 'Sartor Resartus' quoted, 47; his praise of Father Mathew, 225 *n.*
Carmarthen, exercise of Church discipline at, 412
Caroline, steamer, destruction of the, 486
Carr, Bishop, his extra-episcopal appointments, 406
Cathedral establishments, abuses connected with, 407; Act of 1840 relating to, 410
Catholic. *See* Roman Catholic
Cattle, importation of, encouraged by Peel, 131
Cavaignac, General, appointed Dictator, 562; offers to mediate between Italy and Austria, 562
Challenges in Parliament, 108; treated as a breach of privilege, 113
Chalmers, Dr., his eulogy of the Bible Society, 400 *n.*; ministry of, 457; sides with the Evangelical party, 459; urges the adoption of the veto, 462; insists on the principle of non-intrusion, 467; his conduct after the secession, 474
Chamberlayne, John, quoted, 87 *n.*
Chandos, Lord, elected for Buckingham, 270
Chapel Act, Scotch, 462
Charitable Bequests Act, 246
Charles Albert, King, joins the Lombards, 557; surrenders Milan, 561; encourages his Parliament to renew the war, 567; abdicates, 568
Charlotte, Princess, 553
Charter, the People's, origin of, 49
Charteris (Lord), resigns his seat, 271
Chartism, history of, before and after 1838, 47
Chartist petition of 1842, 135; agitation in 1848, 335; its collapse, 336
Chatham, Lord, a more vigorous politician than Peel, 381
Child sentenced to death in 1833, 74
Children in mines, commission on the employment of, 37; bill relating to, 195
Chimney-sweeping, Act against employing children in, 37
China, indemnity from, 162
Christina abdicates and quits Spain, 513; returns to Madrid, 516; favours the suit of the Coburg prince, 518; her objections to the Duke of Cadiz and Don Henry, 521; offers Leopold Isabella's hand, 522; consents to the Bourbon match, 525

CHR

Christopher, Mr., his views on the corn duties, 122
Church, outcry against the, on the education question, 197; introduction of rationalism into the, 394; its condition in the eighteenth century, 395; the attack upon it in the nineteenth, 402; wealth of, and its unequal distribution, 405; abuses of the episcopate and cathedral establishments, 406; subjected to the Ecclesiastical Commissioners, 409; limitation of pluralities in, 410; jurisdiction of the, over laymen, 412; its relations with the State changed, 436
Church, the Scotch (*see* also Disruption), contrasted with the English Church, 448; its struggle against episcopacy, 450; history of patronage in, 452; the secession from the, 474
Church Missionary Society, formation of the, 398
Church rates, agitation of the Dissenters against, 415
Churchill, Lord Alfred, elected for Woodstock, 270
Clanricarde, Marquis of, Postmaster-General, 291
Claremont, residence of Louis-Philippe in, 553
Clarendon, Earl, President of the Board of Trade, 291; Lord-Lieutenant of Ireland, 328 *n*; votes for the Navigation Bill, 362; his proceedings after the Dolly's Brae affray, 364; his capacity as Irish Viceroy, 370
Clarke, Captain, his exploration of the Columbia River, 496
Clearey, Patrick, murdered, 326
Clergy, benefit of, abolished for peers, 111 *n*.; non-residence of the, its extent, 408
Clode, Sir C. M., his explanation of the Commander-in-Chief's relations with the Government, 103 *n*.
Cloncurry, Lord, his views on absenteeism, 217 *n*.
Clontarf, prohibition of the meeting at, 236
Coal, duty on, increased, 130; repealed, 163; consequences of its absence in Ireland, 214, 216
Cobbett, imprisoned for his denunciation of flogging, 100
Cobden, Richard, 63; established the Corn Law League, 64; elected for Stockport, 66; his rebuke of the aristocracy for taxing corn, 133;

COP

his jeer at the protectors of butter, 168; declares the corn law a landlords' law, 175; his 'dairy-farming' speech 262; proposed for office in 1845, 268 *n*.; slighted by Russell in 1846, 292; returned for the West Riding in 1847, 311
Cockburn, A. (afterwards Sir A.), his defence of M'Naughton, 142 *n*.
Codrington, Admiral, protests against the impressment system, 97; his share of the Navarino prize money, 99
Coercion (*see* Arms Act, Protection of Life Bill), the policy of, 232; in 1847, 327; in 1848, 330
Colenso, his remarks on the seven days week, quoted, 443 *n*.
Colloredo, Count, his mission to London, 567
Colquhoun, John C., procures the passage of the Scotch Chapel Act, 462
Commander-in-Chief, his relations with the Government, 103
Commerce, effect of free trade on, 287
Committees, private bill, 15
Commons, privileges of the, infringed by the Lords, 355
Comorn, capitulation of, 570
Compensation for improvements, 257, 328
Connell, Michael, assassination of, 325
Conservatives, position of, in 1841, 115
Consols, price of, in 1841–44, 147
Consort, the Prince, his interest in the slavery question, 71; his encouragement of popular instruction, 78; his suggestion on dueling, 112; co-operates in establishing the Jerusalem Bishopric, 428; his support of the Exhibition of 1851, 583
Constables, special, number of, in 1848, 336 *n*.
Constantine, conversion of, compared in its consequences with the Reformation, 385
Convicts, numbers of, in 1836 and 1885, 80; life of, in Australia, 81; tickets-of-leave granted to, 85
Convocation, revival of, 439; its relations with the State, 449
Cooke, Mr. (afterwards Sir) W. F., telegraphic invention of, 188
Copernican theory, 390
Copleston, Bishop, his extra-episcopal appointments, 406; his share in

the religious discussions at Oriel College, 419
Copper ore, repeal of the duty on, proposed, 340
Coriolanus contrasted with Peel, 289
Corn, price of, in 1835-41, 26; in 1822, 61; in 1829 and 1835, 62; jobbing in, 133
— Importation Bill announced by Peel, 273; the opposition to it led by Bentinck, 275; success of obstructive tactics against it, 276; leave given to introduce it, 277; its second reading, 281; passed by the Lords, 283
Corn laws, history of the, 60; amended by Peel in 1842, 118; agitation of the League against the, 64, 174; suspension of, in 1847, 301
Corn Law League, established, 64; statistics of the, 66; activity of, during Peel's Administration, 174; converts Peel, 262; and Russell, 266
Cottenham, Lord, his endeavours to reform the law relating to debt, 93; his vote on O'Connell's appeal, 241; Lord Chancellor under Russell, 291; his Encumbered Estates Bill, 307; defines the legal position of the Scotch presbytery, 466
Cotton goods, decline in the value of, in 1842, 21
Counsel first allowed to prisoners, 87; anomalies of the old law, 89 *n.*
Courtney, Mr., his article on 'Banking' noticed, 156 *n.*
Courts-martial, restrictions on, 101
Courvoisier, execution of, 74
Cracow, insurrection in, 528; annexed to Austria, 529
Crime, statistics of, 75; causes of its increase, 76; diminution of, after 1842, 177; effect of free trade on, 288
Criminal law, reform of the, 73
Criminals, secondary punishment for, 79; drafting of, into men-of-war, 97
Crisis, financial, of 1836, 20, 157; of 1847, 311; causes of, 313
Croatia opposes Hungarian autonomy, 564
Cromwell, his practice of opening letters, 540 *n.*
Croker, Rt. Hon. W., his Memoirs referred to, 98; his notice of a non-electric telegraph, 182; his illustration of episcopal patronage quoted, 407
Crown and Government Security Bill, 331

Cunard, Sir S., his first Atlantic steamer, 69
Custozza, battle of, 560
Czar. *See* Nicholas

DALHOUSIE, Lord, his summary of the fiscal changes made in 1846, 273 *n.*
Dardanelles, fleet ordered to the, 572
Darwin, investigations of, 477
Das Antas, rejects Colonel Wylde's advice, 533; his capture, 536
Davis, Charles, assists in editing the 'Nation,' 223; character of, 330
D'Aubigny, his arrest of Mr. Pritchard, 506
D'Azeglio, Count, 541
Debt, arrest and imprisonment for, 89
— the National, conversion of stock, 147; loan of £8,000,000, 310
— the Irish, 354, 357 *n.* 366
Debtors, the law relating to, 89; prison treatment of, 92; the act of 1844, 94
De Caux, inventions of, 183
Deficits, accumulation of, during Melbourne's Ministry, 124; converted by Peel into a surplus, *ib.*
De Grey, Earl, retires from the Lord-Lieutenancy, 247
Deism, English, in the eighteenth century, 394
Dembinski, escapes into Turkey, 571
Denman, Lord, appointed to try Lord Cardigan, 109; his condemnation of the proceedings in O'Connell's trial, 239; votes against the conviction, 241; opposes Russell's Sugar Duties Bill, 294
Descartes, his influence on religious thought, 393
De Tocqueville, his views on associations, 67; supports the cause of the Hungarian refugees, 572
Devitt, Edward, murdered, 326
Devon, Lord, serves on Commission on Irish land tenure, 255
Devonshire, Duke of, 583
Dickens, Charles, his 'Oliver Twist,' 30; his description of the Marshalsea referred to, 92
Dietz, Prince Ferdinand's adviser, 531
Discount, rate of, in 1836, 20
Disendowment, an early motion for, 402
Disraeli, Benjamin (afterwards Lord Beaconsfield), 32; his novels, 34; moves the rejection of the bill for continuing the poor law, *ib.*; ridicules the social quacks, 40; his

speech on the Chartist petition, 52; condemns the Local Police Bill, 55; his verdict on the Import Duties Committee, 126 *n.*; attacks Peel's ministry, 169; his ridicule of the Cabinet Councils of 1845, 264; denounces Peel's 'sublime audacity,' 272; his active opposition to Peel's Corn Bill, 275; comparison of, with Bentinck, 276; becomes leader of the Tory party, 344; endeavours to lighten the taxes of the landlords, 349; asks an explanation of 'progress,' 361; moves a revision of the poor laws, 372; declares his want of sympathy with the Poles, 530
Disraeli, Isaac, 33
Disruption controversy, 447; rise of the Moderate party, 456; protest of the Evangelicals against pluralities, 458; the agitation for the call, 461; adoption of the Veto Act, 462; the Auchterarder case, 464; refusal of the Evangelicals to accept the decision of the House of Lords, 466; the Strathbogie case, 469; expulsion of presbyters for complying with the law, 470; the declaration, claim, and protest, 472; the secession, 475; connection of the controversy with the Tractarian movement, *ib.*
Dissenters (*see* Universities, Church Rates) oppose the educational clauses of the Factory Bill, 197; endeavours to remove their disabilities, 414
Dissolution of 1841, 35, 115; of 1847, 310
Distress between 1837 and 1842, 22; its extent in 1842, 131, 138; its effect on the revenue, 139
Divett, Mr., his motion against Church rates, 402 *n.*
Division lists, publication of, 7
Dog-carts, suppression of, 72
Dolly's Brae, affray at, 363
Dorsetshire, overcrowding in, 25
Drouyn de Lhuys offers to mediate between England and Greece, 579; arranges a convention with Palmerston, 580; recalled, 582
Drummond, Mr., murder of, 142
Drunkenness. *See* Spirits
Dryden quoted, 95
Dublin, corporation of, petitions for Repeal, 223
Duelling, 105; judicial opinions on, 107; reluctance of juries to convict for, 108; resorted to by members of Parliament, *ib.*; trial of Lord Cardigan for, 109; society formed

for abolishing, 112; suppressed in the army, *ib.*
Dufay, electrical discoveries of, 185
Duffy, Mr. (afterwards Sir) Charles Gavan, edits the 'Nation,' 223; his ability, 330
Dufour, General, his campaign against the Sonderbund, 539
Duncombe, T. S., his motion in behalf of Chartist convicts, 59 *n.*; moves a hearing for the Chartists, 136; his motions respecting the Westminster theatres, 446; his motions on letter-opening, 540 *n.*
Durham letter, the, 438
Dutch, navigation laws directed against the, 358

Ecclesiastical Commission, disclosures of the, 405; its functions, 409
— Courts, 411; instances of the exercise of their jurisdiction, 412; reformed, 413
Edinburgh, School of Arts in, 76
Education, state of, in 1841, 40; grant, 68; abortive attempt in 1843 to provide, 196
— in Ireland, 247; Maynooth College, 248; establishment of the Queen's Colleges, 253
Edwards, Mr., rejected by the Strathbogie presbytery, 469
Election, General, the, of 1841, 115; of 1847, 311
Electricity, successive investigations of, 184; applied to telegraphs, 188
Eliot, George, 477
Eliot, Lord (afterwards Earl St. Germans), his Arms Bill, 229; succeeds to the peerage and resigns his Irish Secretaryship, 247
Ellenborough, Lord, his issue of war medals, 99; his declaration on the Hunt trial, 101; President of the India Board, 115; appointed First Lord of the Admiralty, 269
Elliott, Ebenezer, his view of the tax upon corn, 133
Elphinstone, his amendment on the income tax, 128
Ely, Lord, 235 *n.*
Emigrants, number of, in 1836–1840, 68; Irish, sufferings of, 351; emigration, facilitation of, by steam, 68
Encumbered Estates Act passed, 307; its results, *ib.*
Episcopacy in Scotland, history of, 450

ERA

Erastianism, hostility of the Scotch to, 453
Espartero made Regent, 513; fall of, 516
Essex, Lord, his denunciation of the Anti-Corn Law League, 262
Estimates, the, referred to select committees, 341
Eton, dread of railways at, 17
Evans, Sir De Lacy, elected for Westminster, 271
Evictions in Ireland, 219; their number, 350
Ewart, Mr., moves the abolition of capital punishment, 73 and *n.*; moves the Prisoners' Counsel Bill, 88; his motion on the sugar duty, 151 *n.*
Ewelme, rectory of, 434
Exchequer bills funded, 118
Executions, demoralising incidents at, 74; first demand to make them private, 75
Exhibition, the Great, 583
Export duties abolished, 163

FACTORY ACT, Robert Owen's connection with the, 44
— Bill, unsuccessful attempt to introduce educational clauses into the, 197; passage of the ten hours' clause, 202
Faithfull, Mr., his disendowment motion, 402 *n.*
Famine in Ireland, 296; in the Western Highlands of Scotland, 304
Fancourt, Major, his motion to abolish flogging, 102 *n.*
'*Fantôme*,' outrage on the, by Greek soldiers, 576
Fawcett, Colonel, killed in a duel by Lieutenant Munro, 112; pension refused to his widow, *ib.*
Felony, counsel allowed in cases of, 87
Ferdinand, Emperor of Austria, abdicates, 565
— Prince, marries the Queen of Portugal, 531; revolt caused by his unpopularity in the army, *ib.*
Ferguson, Sir R., member of the Devon Commission, 255
Fernanda, Princess, 515; selected for the Duc de Montpensier, 518; married to him, 525
Ferrara entered by Austrian troops, 542
Ferretti, Mastai. *See* Pope Pius IX.
Fever in the east of London, 28

FRE

Ffrench, Lord, removed from the magistracy, 229
Ficquelmont, his appeal to Palmerston, 557; proposes fresh terms, 559
Fielden, Mr., supports the motion for a select committee on the poor law, 31; presides at the Kersal Moor meeting, 49; prepares the Chartist petitions, 50; carries the ten hours' clause, 202
Fine Arts Commission, the Prince Consort's presidency of the, 78
Finlay, Mr., the case of, 574
Firearms, adoption of percussion caps for, 100
Fisher, Dr, 93 *n.*
Fitzwilliam, Earl, proposes a grant to Maynooth, 248
Flogging in the army, 100; limited, 101; statistics of, 102
Follett, Mr. (afterwards Sir W.), his successful defence of Lord Cardigan, 110; death of, 270
Food, price of, in 1845, 176
Forsyth, Secretary, his remonstrance on the *Caroline* case, 487
Forty-shilling freeholders created, 215; disfranchised, 219
Fox, defeated at the Tower Hamlets in 1847, 311
France (*see* Paris), irritation in, at Palmerston's Eastern policy, 501; visited by Queen Victoria, 502; seizes the Marquesas Islands, 503; accepts the protectorate of Tahiti, 504; indignation in England at the treatment of Pritchard by, 506; undertakes the conquest of Algeria, 509; makes demands on Morocco, 511; orders the bombardment of Tangiers, 512; *entente cordiale* between England and, *ib.*; is brought to an end, 527; offers help to the Queen of Portugal, 535; opposition of the Government to reforms in, 546; the Revolution of February in, 549; offers to help the Italians, 557; supports the cause of the Hungarian refugees, 572; mediates between England and Greece, 579; recalls its ambassador from London, 582
Franchise, extension of, in Ireland in 1849, 366
Francis, his attempt to shoot the Queen, 142 *n.*
Francis Joseph, accession of, to the Austrian Empire, 565
Free Church of Scotland established, 474

FRE

Free Trade (*see* Corn Laws), promoted by the Budget of 1842, 130; results of, 286
Fremantle, Sir Thomas, Chief Secretary for Ireland, 247; forced to resign, 270
French Revolution, its effects on religion, 397
Friburg, capture of, 540
Frost, John, insurrection of, 56; his trial and sentence, 58
Froude, Archdeacon, 421
— J. A., 'History of England' referred to, 182
— Richard Hurrell, 421; his death, 423
Funds. *See* Consols

GALILEO, condemnation of, 390
Galvani, his discovery of galvanism, 186
Gaskell, Mrs., her story of 'Mary Barton' referred to, 23, 41, 52
Geology, assault of, on religion, 400
George IV., Parliamentary oratory in the reign of, 11; his visit to Dublin, 365; his obligations to Peel and Wellington in 1829, 379
Georgey, surrender of, 570
German Legion, flogging by the, 100
Gibbon, his 'Roman Empire' quoted, 182, 386
Gibson, Milner, his motion on the sugar duties, 167 *n.*; receives an appointment at the Board of Trade, 292; returned for Manchester in 1847, 311
Gilbert, Dr., electrical discoveries of, 184
Gioberti, Vincenzo, 541
Girardin, Emile de, urges Louis Philippe to abdicate, 552
Gizzi, Cardinal, appointed by the Pope Secretary of State, 542
Gladstone, Rt. Hon. W. E., suspends transportation to Van Diemen's Land, 86; early political career of, 120; defends Peel's sliding scale, 121; declines to apply the Canada Corn Act to Australia, 142 *n.*; his reply on Lord Howick's motion, 143; his language on the free trade question in 1844, 176; resigns on the Maynooth question, 252; appointed to the Colonial Office in Stanley's place, 269; defeated at the re-election, 270; returned for Oxford University, 311; his sanction of an inquiry into the Naviga-

GRA

tion Act, 360; opposes third-class Sunday trains, 445 *n.*
Glasgow, condition of the poor in, 23
Glass duty repealed, 164
Godwin, William, views of, adopted by Robert Owen, 45
Goldsmith, his reproach of Burke, 376
Good, Daniel, execution of, 74
Gordon, Captain, conveys Mr. Pritchard from Tahiti, 506
Goree, the flogging case at, 100
Gorham case, the, 436
Goulburn, Rt. Hon. H., opposes Russell's motion for an extra Government night, 6 *n.*; Chancellor of the Exchequer, 115; deals with Baring's deficit, 117; his New Annuities, 147; his Budget of 1843, 145; of 1844, 148; opposed on the sugar duty, 150; his reproof of Disraeli, 170; his reduction of the duties protecting kelp, 303; returned for Cambridge University in 1847, 311
Government nights, extra, motions for, 6
Graham, Sir J., his speech on the railway schemes, 18; his views of the corn laws in 1839, 65 *n.*; his statement of police expenditure, 79; deals with the press-gang question, 104; Home Secretary, 115; defends Peel's sliding scale, 120; converted to free trade, 144 *n.*; denounces Disraeli's mutiny, 171 *n.*; his bill for continuing the poor law, 191; his Factory Bill of 1843, 197 reintroduces it in 1844, 199; carries it, 200; his concessions to Ashley, 201; his attitude on the Irish question, 244; his Irish colleges bill, 253; supports Peel in 1845, 263; introduces the Life Bill in the Commons, 281; elected for Ripon in 1847, 311; states the points at issue between parties in the Scotch Church, 349 *n.*; his proposals on the Scotch Church question, 471; opens Mazzini's letters, 540 *n.*
Grant, Rt. Hon. Charles (afterwards Lord Glenelg), his motions on the Jewish question, 343
Granville, Earl, Paymaster of the Forces, 291 *n.*
Grattan, his protest against the language of William IV., 228
Gray, Bishop, his extra-episcopal appointments, 406
— Captain, his geographical discoveries, 496

GRA

Gray, Stephen, electrical experiments of, 185
Grease, duty on, 167
Great Western steamer crosses the Atlantic, 69
Greece, establishment of constitutional government in, 574; outrages in, 576; compensation refused to Don Pacifico by, 577; action of the British Government against, 578; amount of the indemnity exacted from, 581
Greely, Ebenezer, arrest and imprisonment of, 485
Grey, Charles (afterwards second Earl Grey), his support of Chartism, 47; his advice to the bishops, 402
— Sir George, votes for a committee on the corn laws, 65; his policy on the transportation question, 86; Home Secretary, 291; declares the Chartist procession illegal, 336
— Earl (*see* also Howick), his policy on the transportation question, 86; objects to Palmerston as Foreign Minister, 268; his amendment to the Irish Life Bill, 279; Colonial Secretary, 291; his speech on the Navigation Bill, 361
Gringell, Job, his opinion of protection, 173
Gros, Baron, his mission to Athens, 579
Grote, Mr., his motions for the ballot, 48
Guericke, Otto von, electrical discoveries of, 184
Guizot, Monsieur, his notice of Disraeli's attack upon Peel quoted, 172; his 'Mémoires' referred to, 183; denied access to O'Connell, 212; his saying on forgetfulness of history quoted, 383; his admiration of Peel, 501; becomes intimate with Aberdeen, 502; his assurances respecting the Tahiti protectorate, 504; disavows Thouars's annexation of the Society Islands, 505; his adage on war, 508; his perfect accord with Aberdeen, 513; conceives the idea of the Spanish marriages, 515; agrees to act with Aberdeen on this question, 516; moots the marriage of Montpensier with the Infanta, 518; proposes Trapani for the Queen, 519; his instructions to Bresson in 1845 to defeat the Coburg marriage, 520; his memorandum of Feb. 27, 1846, 521; decided by Palmerston's despatch, 525; the question of his

HER

culpability examined, *ib.*; offers help to the Queen of Portugal, 535; his proposals relative to Switzerland, 539; his domestic policy, 546; removed, 550

HABEAS CORPUS ACT, suspended in Ireland, 333
Haddington, Earl of, joins Peel's Cabinet, 115; Lord Privy Seal, 269
Hallam, Henry, his story about the Sabbath, 440
Hamilton, G. A., member of the Devon Commission, 255
Hampden, R. D. (afterwards Bishop), Broad Church views of, 431; his Bampton Lectures, 432; his appointment to the Regius Professorship of Divinity, 333; opposition to his nomination to the see of Hereford, 434
Hampton Court opened to the public, 77
Hanly, Timothy, murdered, 326
Hansard's Debates, progressive enlargement of, after the Reform Act, 3 *n.*
Hardinge, Sir H. (afterwards Viscount), induces Bulwer not to fight Praed, 109; accepts office under Peel, 115; his Irish Secretaryship, 369
Harrison, President, 488
Hartig, mission of, 558
Harvests, the, of 1839–1841, 35; of 1842, 134; of 1843, 146; of 1845, 190
Hassard, Mr., treasurer of Limerick county, murdered, 326
Hawes, Benjamin, his motion on the sugar duties, 151 *n.*; defeated for Lambeth in 1847, 311
Haydon, Peel's kindness to, 377
Haynau, General, cruelties of, 571
Hennell, C. C., his 'Inquiry respecting the Origin of Christianity' referred to, 477
Hennis, Dr., his duel with Sir J. Jeffcott, 107
Henry, Don, 521; his candidature for Isabella's hand favoured by Aberdeen, 522; and by Palmerston, 523
Henry VIII. compared with Constantine, 385
Herbert, Sidney (afterwards Lord Herbert of Lea), Secretary for War, 263; supports Peel in 1845, *ib.*

HER

Hereford, Hampden's appointment to the see of, 434
Hermannstadt, battle of, 566
Herries, Rt. Hon. J. C., his motions on the suspension of the Bank Act, 325 *n.*
Hertford, Lord, his alarm at the Reform Bill, 2 *n.*
Hewley, Lady, charity trust of, 417 *n.*
Heytesbury, Lord, appointed Lord Lieutenant, 247
Hildyard, T. B. T., elected for South Nottinghamshire, 270
Hill, Matthew D., labours to reform the transportation system, 84
— Mr., land agent, murdered, 326
History, the proper function of, 382
Hobhouse, Sir J. (afterwards Lord Broughton), votes for a committee on the corn laws, 65; his statements on the steam navigation of the Red Sea, 69; President of the Board of Control, 291; defeated at Nottingham in 1847, 311
Hotham, Baron, his view of duelling, 106
Homer, use made of, by Milton, 386
Honour, Courts of, proposed, 112
Hook, Dean, his views on the education question, 199 *n.*
Hope, President of the Court of Session, his argument respecting pluralities, 459
Howard de Walden, Lord, his embassy at Lisbon, 533
Howick, Lord (afterwards Earl Grey), votes against the corn laws, 63, 65; introduces soldiers' libraries, 100 *n.*; his free-trade motion, 143
Hulks, the, 81
Hullah, Mr., singing classes of, 77
Hume, David, influence of his writings on Scotland, 455
— Joseph, supports Disraeli's candidature in 1833, 33; his motion against the corn laws, 62; his remark on the votes of Ministers, 65 *n.*; prints a National Gallery catalogue, 77; moves the abolition of flogging, 102; his proposal on the income tax, 128; declares the proposed increase of expenditure unwarrantable, 342; his motion on the first Budget of 1848, 341; opposes Russell's rearrangement of the sugar duties, 346; his motion on the brick duty, 372 *n.*; his motion for the Sunday opening of the British Museum and National Gallery, 446; moves a vote of thanks to Lord Ashburton, 495; proposes

IRE

to stop the interest on the Russian-Dutch loan, 530; his motion condemning British intervention in Portugal, 537
Hummelauer, Baron, his mission to England, 559
Hungary, revolution in, 563; crushed by help of Russia, 569
Hunt, 'Orator,' presents the first women's rights petition, 9 *n.*; his support of Chartism, 47
— Leigh, tried for an article on flogging, 101
Huskisson, Rt. Hon. W., his commercial reforms, 125; his reform of the Navigation Acts, 360
Hutcheson, influence of his writings on Scotland, 455
Hyde Park, regulations concerning carriages in, 78

IMPORTS and exports, their amount from 1836 to 1842, 20; in 1842–45, 176; in 1849, 347
Income and expenditure. *See* Budget
Income tax, repeal of, in 1816, 4; revived in 1842, 124; amount yielded by, 139; proposals relating to, in 1848, 340, 342; yield of, in 1848, 347
India, flogging abolished in the native army of, 103
Indian corn purchased for the relief of the Irish famine, 296
Infanta, Spanish. *See* Fernanda
Inglis, Sir R. H., his speech against the Maynooth Bill, 249; opposes Graham's Irish Education Bill, 254; his opposition to Church reform, 403; his protest against the Cathedral Chapters Bill, 412
Insolvency, the law of, 91
Interest. *See* Usury
Ireland, Bank of. *See* Bank
— increased spirit duties for, 124; English poor law extended to, 194; treatment of, by England, 206; cause of distress in, mainly increase of population, 213; effects of the Relief Act of 1793 in, 215; absenteeism in, increased by the Union, 217; condition of the poor in, 218 *n.*; disfranchisement of the 40*s.* freeholders in, 219; evictions in, *ib.*, 350; Repeal agitation in, 221; its collapse, 238; proposal to construct railways in, 245; land tenure in, 255; failure of the potato crop in, 259; increase of crime in, 278; the famine in, measures for its relief,

296; outdoor relief added to the poor law of, 306; encumbered estates in, 307; railways in, 308; cost of the famine in, to the national exchequer, 309; renewed outrages in, 325; effect of the continental revolution on, 329; prosecutions in, 332; suspension of the Habeas Corpus Act in, 333; Smith O'Brien's rebellion in, 334; decrease of population in, *ib.*, 351; amendments of the poor law in, 352; conflict between Orangemen and Ribandmen in, 363; visit of the Queen to, 365; further advance of money to, *ib.*; extension of the franchise in, 366; the viceroyalty of, 367; office of Chief Secretary for, its importance, 369; the proposed appointment of a Secretary of State for, 370

Irvingism, origin of, 399

Isabella, Queen, audience with, refused to the French ambassador, 514; new law passed respecting her marriage, 516; candidates for her hand, 517; married, 525

Italy, state of, in 1846, 540; called a 'geographical expression' by Metternich, 543; disturbances in 1847 in, 544; effects of the French Revolution on, 555

JAMES, Mr., prosecuted in the ecclesiastical court, 413

Jeffcott, Sir J., his duel with Dr. Hennis, 107

Jeffrey, Lord, his sentiments on the Scotch Disruption, 474

Jellachich, elected Ban of Croatia, 564; joins the Austrian campaign against Hungary, 565

Jenkinson, Bishop, his extra-episcopal appointments, 406

Jerusalem, the Protestant bishopric of, 428

Jesuits, their expulsion from Switzerland, 539

Jewess, a, subjected to Church discipline, 412

Jews, debates in 1847 on the disabilities of the, 343; Sabbath of the, 443 *n.*

Jocelyn, Lord, his question on the Repeal agitation, 227

Joinville, Prince de, his advice to build a steam fleet, 338; in command of a squadron off the Moorish coasts, 511; bombards Tangiers, 512

Jones. *See* Frost

Jones, churchwarden, ecclesiastical prosecution of, 412

— Ernest, the Chartist, 52

Junius quoted, 95

KAINARDJI, treaty of, 572

Keble, Rev. John, 420; influence of his 'Christian Year,' 422; his Assize sermon, 424

Kelly, Sir Fitzroy, his bill to limit capital punishment, 73 *n.*

— John, murdered, 325

— Mr., poor-rate collector, shot, 326

— Michael, shot, 325

Kelp industry of Western Scotland, 302

Kenyon, Lord, his judicial statement on duelling, 106

Kepler, influence of his discoveries on religious thought, 392

Kersal Moor, the Chartist meeting at, 49

Kidderminster, debtors' prison of, 92

Kinglake, Mr., his misconception of Aberdeen's foreign policy, 512 *n.*

Kingsley, Charles, quoted, 24

— Henry, his description of the famine in the Western Highlands, quoted, 304

Kinnoul, Lord, his nomination of Mr. Young to Auchterarder, 464

Knatchbull, Sir E., accepts office under Peel, 115; defends Peel's sliding scale, 120; his interest in the apple duty, 129; resigns, 141

Knighthood bestowed on a mayor for military services, 58 *n.*

Kossuth obtains a separate ministry for Hungary, 563; marches to the help of the Viennese insurgents, 565; demands the deposition of the Hapsburgs, 569; surrenders supreme power to Georgey, 570; escapes into Turkey, 571

LABOUCHERE, H. (afterwards Lord Taunton), votes for a committee on the corn law, 65; Chief Secretary for Ireland, 291; his circular on Irish relief, 299 *n.*; President of the Board of Trade, 328 *n.*; his Irish Secretaryship, 369 *n.*

Lamartine, M. de, 329; his answer to the Irish deputation, 330, 555; solicitous for the British alliance, 342; resists the prohibition of the banquet, 549; declares for a Re-

LAM

public, 553; organises the Provisional Government, 553; his friendly attitude to England, 554; offers armed assistance to the Italian patriots, 557; end of his authority, 561
Lamb, George, his motion respecting counsel for prisoners, 87
Lamberg, General, assassinated, 564
Lanark, New, Robert Owen's experiment at, 43
Land tenure in Ireland, report of the Devon Commission on, 255; the compensation for improvements bill founded thereon, withdrawn, 258
Lane-Fox, Mr., his motion against the Repeal agitation, 227
Lansdowne, Marquis of, his resolution against Peel's income tax, 128; President of the Council, 291
Larkin, Patrick, and his son, shot, 326
Leader, Mr., moves for the pardon of the Chartist convicts, 59 *n.*
Lee, Rev. James Prince, appointed to the see of Manchester, 434
Leigh, Cheshire, Chartist meeting at, 51
Lemon, Mark, his discovery of a map fixing the American boundary, 493 *n.*
Lennard, Mr., his motion to abolish flogging, 102 *n.*
Lennox, Lord Arthur, forced to resign, 270
— Lord Henry, elected for Chichester, 270
Leopold, Prince of Saxe-Coburg, proposed for Queen Isabella, 517; assurances of Aberdeen respecting his candidature, 518; offered Isabella's hand by Christina, 522; Lord Palmerston's indiscreet mention of, 524
— King, yields up Claremont to Louis Philippe, 553
Letters, Sunday deliveries of, 445; right of Government to open, 540 *n.*
Lewis, Captain, his exploration of the Columbia River, 496
Limited liability, institution of, 19
Lincoln, Lord (afterwards Duke of Newcastle), defeated on appointment as Chief Secretary for Ireland, 270; elected for Falkirk *ib. n.*; his Irish Secretaryship, 369 *n.*
Liverpool, Lord, his suspension of the corn law, 134
Liverpool, dwellings of the poor in, 22
Lloyd, Charles (afterwards Bishop), his distinction between two periods of Romanism, 425 *n.*

MAC

Lloyd, Rev. Mr., murdered, 326
Lombardy, revolution in, 556; its termination, 568
London, dwellings of the poor in, 24; health of, in 1841, 28; election of Baron Rothschild for the City of, 343
Londonderry, Marquis of, condemns the issue of the Peninsula medal, 99; his amendment of Ashley's mines bill, 195
Lord-Lieutenant of Ireland, position of the, 368; abolition of the office proposed, 370
Lords, the, infringe the privileges of the Commons, 355
Louis Philippe, attempts to assassinate, 142 *n.*; visited by Queen Victoria, 502; visits England, 508; pays an indemnity to Mr. Pritchard, *ib.*, *n.*; his first position on the Spanish marriage question, 515; his statement on the Coburg candidature, 518 *n.*; revisited by the Queen, 518; wishes to disavow Bresson's conduct, 524; persuaded by Guizot not to do so, 525; the question of his culpability examined, *ib.*; relies on the Chamber against the people, 547; his ministers stop the political banquet, 548; replaces Guizot by Molé, 550; abdication and flight of, 552
Lovett, Mr., a Chartist, 51–53; his imprisonment, 56
Lucas, Mr., a landlord, murdered, 326
Lucca annexed to Tuscany, 545
Lucerne admits the Jesuits, 538; surrenders, 540
Lyndhurst (Lord), influence of Disraeli over, 33; blames Russell for the growth of Chartism, 52; moves the second reading of the Prisoners' Counsel Bill, 88; Lord Chancellor under Peel, 115; his vote on O'Connell's appeal, 241; his Act for the relief of the Unitarians, 418 *n.*
Lyons, Sir E. (afterwards Lord), recommends a constitution for Greece, 574; fails to obtain redress for Mr. Finlay, 575

MACAULAY, T. B. (afterwards Lord), his rank as an orator, 13; his account of the salubrity of London, 28; his official relations with Lord Cardigan, 103 *n.*; Paymaster of the Forces, 291; compares Maynooth College to Dotheboys Hall, 248; his criticism of the

MAC

opposition to the grant, 250; defeated at Edinburgh in 1847, 311; denounces the legislation of 1712 respecting the Scotch Church, 456 *n.*
McCarthy, Justin, his statement on the Finlay and Pacifico claims 578, *n.*
McCulloch, his aphorism on navigation, 359
M'Enery, John, murdered, 326
Mackenzie, Sir A., his exploration of the Fraser River, 496
Mackintosh, Rt. Hon. Sir J., 13
McLeod, Alexander, arrested at New York, 487
M'Nab, Colonel, destroys the *Caroline* steamer, 486
M'Naughton, Daniel, his assassination of Mr. Drummond, 142 *n.*
MacNeile, Dean, his argument against the endowment of Maynooth, 250 *n.*; Evangelical labours of, 431
Mahon, Major, murdered, 326
Maine, invasion of disputed territory by, 485
Mallow, the Repeal meeting at, 224
Malmesbury, Lord, his account of the agriculturists in 1845, 173
Maltby, Bishop, his extra-episcopal appointments, 406
Manchester, a typical abode of the poor in, 23; formation of the Corn Law Association at, 63; creation of the see of, 409 *n.*; rejection of Church rates at, 416
Manin, Daniel, imprisoned, 545; released, 556
March, Lord (afterwards Duke of Richmond), accuses Peel of betraying his party, 168; horrified at Peel's free trade scheme, 274
Maria, Queen, her marriage and government of Portugal, 531
Marlborough, Duke of, turns against Peel, 270
Marnoch case, 469
Marquesas Islands seized by the French, 503
Marsh, Bishop, his extra-episcopal appointments, 406
Martin, Sir T., his statement on the Finlay and Pacifico claims, 578 *n.*
Mathew, Father, his temperance mission in Ireland, 225; his account of the potato blight, 298
Maule, Fox (afterwards Lord Panmure), rebukes Disraeli for voting against the Birmingham Police Bill, 55; insults Colonel Sibthorp, 109; his motion on the Scotch Church question, 473

MOL

Maynooth College, foundation of, 248; endowment of, 249
Mazzini, opening of his letters by Sir James Graham, 540 *n.*; his efforts to establish an Italian republic, 541
Meade, Mr., outrage on, 326
Meagher, Thomas F., character of, 330
Meares, Lieutenant, his settlement at Nootka Sound, 495
Meat. *See* Cattle
Mechanics' institutes, formation of, 76
Medals, military, 98
Melbourne, Lord, his views on the corn laws, 65 *n.*; resigns, 115; illness of, 267; abstention of his ministry from Irish coercion, 278; his appointment of Hampden as Regius Professor of Divinity, 433
Mesne process. *See* Debt
Methodism, growth of, 396 *n.*
Metternich makes known the annexation of Cracow, 529; proposes intervention in Switzerland, 539; his Italian policy in 1847, 542; receives a rebuff from Palmerston, 543; flight of, from Vienna, 555
Miguel, Dom, his partisans join the Spanish Insurgents, 534
Milan, disturbances at, in 1847, 544; the Austrians driven out of, 556; surrender of, 561
Miles, Mr., his motion on foreign cattle, 129; defeats the Government on the sugar duty, 151
Mill, J. S., his defence of the navigation laws quoted, 358
Miller, Captain, his account of the Glasgow poor, 23
Milnes, R. Monckton (afterwards Lord Houghton), his statement on the exercise of Church discipline, 413 *n.*
Milton, resemblances between his epic and that of Homer, 386
Mines, employment of children in, 37; bill of 1842, 194
Minto, Lord, Lord Privy Seal, 291; his mission to Italy, 544
Missionary societies, formation of, in England and Scotland, 457 *n.*
Mitchell, John, editor of the 'United Irishman,' 330; his trial and sentence, 332
Mohun, Lord, his claim of benefit of clergy, 111 *n.*
Molé, Count, appointed Prime Minister, 550
Molesworth, Mr., his error as to the Charter, 49 *n.*

MOL

Molesworth, Sir W., his Transportation Committee, 84
Monk, Bishop, his extra-episcopal appointments, 406
Montalembert, M. de, his remarks on O'Connell's acquittal quoted, 241
Montemolin, Count, obstacle to his union with Queen Isabella, 521
Montpensier, Duc de, proposed as a candidate for the Spanish Infanta, 518 and *n.*; marries her, 525
Morocco, demands of the French against, 511
Morpeth, Viscount (afterwards Earl of Carlisle), votes against the corn laws, 63, 65; his Arms Act, 230; his Irish Railway Bill, 245; elected for the West Riding, 271; Chief Commissioner of Woods and Forests, 291; his endeavour to extend the Irish franchise, 366; his Irish Secretaryship, 369
Morris, Rev. Mr., prosecutes his parishioners in the Diocesan Court, 412
Morse, telegraphic invention of, 188
Mullingar, the Repeal meeting at, 224
Munro, Lieutenant, his duel with Colonel Fawcett, 112
Murray, Bishop, his extra-episcopal appointments, 406
Muschenbroeck, his invention of the Leyden jar, 186
Museum, British, number of visitors at the, in 1843, 77
Musgrave, Bishop of Hereford, transferred to York, 434; his opinion in the Gorham case, 437

NAPIER, Sir Charles, mentions private soldiers in his despatches, 99
— Sir W., his military histories, 98
Naples sends a contingent to the Lombards, 557; insurrection in, suppressed by Bomba, 559
Narvaez, accession of, to power, 516
Nash, Peter, murdered, 326
'Nation' newspaper, founded, 223
National Convention, so called, of the Chartists, 51; its monster petition rejected, 52; removes its sittings to Birmingham, 53; is dissolved, 56
National Gallery, the first vote for the, 77
Navarino prize-money distribution, 98
Navigation Act suspended, 301

O'CO

Navigation laws, 357; amendment of, in 1849, 360
Navy. *See* Sailors
Navy Island, the encampment on, 486
Netherlands, King of the, his arbitration on the American boundary question, 481; rejected, 482
Newcastle, Duke of, invites Mr. Gladstone to stand for Newark, 120; revolts against Peel, 269; and prevents his own son's re-election, 270
Newman, John Henry (afterwards Cardinal), his antipathy to the Bible Society, 400; enters Oxford University, 420; falls under the influence of Hurrell Froude, 421; joins Froude on a tour in Southern Europe, 422; his illness, 424; effect of Keble's Assize sermon upon him, *ib.*; his publication of Tract XC. 426; his progress towards Romanism, 427; secedes, 475 *n.*
Newport, Monmouthshire, Chartist attack upon, 57
Newton, Bishop, his 'Dissertations on the Prophecies' referred to, 398
— Sir Isaac, electrical discoveries of, 184; influence of his discoveries on religious thought, 392
Nicholas, Czar, his contemptuous treatment of Louis Philippe, 502
Niger expedition, the, 70
Nootka Sound, settlement of Meares at, 495
Norfolk Island, horrors of convict life in, 82
Normanby, Marquis of, his motion on Ireland, 244; votes for the Navigation Bill, 362; his despatch shortly before the Revolution of 1848, 546 *n.*
Norwich Cathedral, opened free to the public, 77
Novara, battle of, 568
Nugent, Lord, protests against the term 'execution,' 74 *n.*

O'BRIEN, SMITH, moves the redress of Irish grievances 227; his arguments against the Arms Bill, 230; his motion for Repeal, 233; becomes leader of the Young Ireland party, 329; abortive prosecution of, 332; his rebellion, trial, and sentence, 333
O'Connell, Daniel, publishes the votes of Irish members, 7; his rank as an orator, 13; supports Disraeli's candidature in 1833, 33; denounces the jobbing in corn, 133; his defence

of the Bank of Ireland, 160 *n.*; reminds Graham of the absence of out-door relief in Ireland, 192; conduct of Englishmen towards, 211; defeated in 1841, 222; assumes a bold attitude on the Repeal question, 223; calls the Union a living lie, 231; decides to abandon the Clontarf meeting, 237; his arrest and trial, 238; obtains a reversal of his conviction, 241; his death, 243; his character, *ib.*; his reception in Parliament after his liberation from gaol, 244; his speech against Peel's Coercion Bill, 281

O'Connell, Daniel, junior, defeated at Carlow, in 1841, 222

O'Connor, Feargus, his connection with the Chartists, 51; arrested, 56; organises the Chartist *fiasco* of 1848, 335

Oersted, his discovery of electro-magnetic action, 181

O'Ferrall, his Government appointment, 213 *n.*

Oporto, the insurrection at, 532

Orangemen, affray of, with Ribandmen, 363

Oratory, parliamentary, after the Reform Act, 10

Oregon boundary dispute, its origin, 495; war nearly caused by, 498; arranged by Lord Aberdeen, 500

Oriel College, the society at, 419

Orleans, Duchess of, her vain appeal to the deputies, 552

— Duke of, his death, 552 *n.*

Osborne, Lord Sidney, workhouse revelations of, 30

Otho I., rule of, 574; his seizure of Mr. Finlay's land, 574

Out-door relief. *See* Poor Law

Overcrowding. *See* Poor

Owen, Robert, 41

Oxford, his attempt to shoot the Queen, 142 *n.*

Oxford movement, the, 422; its effects, 439

PACIFICO, Don, the case of, 577

Padua, surrender of, 560

Pageot, mission of, 515; its failure, 516

Paine, Tom, views of, adopted by Robert Owen, 45; his advocacy of Chartism, 47

Paisley, distress in, 25; commission sent to, 131

Pakenham, Rt. Hon. R. (afterwards Sir), his instructions on the Oregon question, 497; refuses Buchanan's proposal, 499

Pakington, Sir J., moves a vote of censure on the sugar question, 346

Paley, Dr., his writings against infidelity 398

Palmella short ministry of, 532

Palmerston, Viscount, votes for a committee on the corn law, 65; prevents the formation of a Ministry in 1845, 268; Foreign Minister under Russell, 291; declares that steam has bridged the Channel, 338; his policy compared with Aberdeen's, 479; his proposal on the American boundary question, 484; refuses to release Greely, 485; disregards American remonstrances in the affair of the *Caroline*, 487; demands the release of McLeod, 488; his language in the right of search dispute, 490; his dissatisfaction with the Ashburton Treaty, 494; his instructions to Pritchard respecting Tahiti, 504; effect of his return to the Foreign Office on the Spanish question, 523; his despatch mentioning the Coburg prince, 524; his culpability for the result, 525; his protest against the Austrian annexation of Cracow, 529; sends a mission to the Junta, 533; his offers of help to the Queen of Portugal, 535; his attitude on the Swiss difficulty, 539; his strong language to Metternich on the Italian question, 543; instructs Normanby, in 1848, to remain at his post, 554; his reply to Austria's appeals in 1848, 558; demands the severance of Venetia, as well as Lombardy, from the Empire, 559; presses the Emperor of Austria to abdicate, 565; his epithets for royal personages, 521 *n.*, 565 *n.*; joins Cavaignac in mediating between Italy and Austria, 562; his Italian policy, 568; his Hungarian policy, 570; his measures in defence of the refugees, 572; urges Mr. Finlay's claim on the Greek Government, 576; his support of Don Pacifico, 577; accepts French mediation, 579; his conduct censured by the Lords, but approved by the Commons, 582; his speech in defence of his Greek policy, *ib.*

Panic, war, of 1848, 337

Papal aggression of 1850, 438

Paris, Comte de, 552

PAR

Paris, stoppage of the political banquet at, 548; commencement of the conflict in, 550; subsequent outbreaks in, 562
Parker, Admiral, his entry of the Dardanelles, 573 *n.*; seizes Greek vessels, 578
Parks, regulations excluding the poor from the, 78
Parliament (*see* also Dissolution, Election), effects of the Reform Act on, 2; new Houses of, the Ladies' Gallery in the, 9; dissolution of, in 1841, 35; motion on the duration of, 48; challenges in, 108, 113; representation of Ireland in, 207; dissolution of, in 1847, 310
Parliamentary papers, increased number of, 3
Paskievitsch crushes the Hungarians, 569
Pasolini, Count, his 'Memoirs' referred to, 541 *n.*
Passarowitz, treaty of, 572
Paterson's 'Liberty of the Press' noticed, 412 *n.*
Patronage in the Scotch Church, 452; the Act of 1712 relating to, 455
Pauperism, effect of free trade on, 288
Paupers, numbers of, in 1839-42, 22
Paxton, Sir J., his Exhibition building, 583
Peel (Rt. Hon. Sir Robert), opposes the reception of petitions against new taxes, 5 *n.*; opposes Russell's motion for an extra Government night, 6 *n.*; compared with Russell in debate, 12; opposes reduction of numbers on committees, 17; defeat of his ministry over the Andover scandal, 30 *n.*; advises a compromise on the poor-law question, 35; his advice on the Birmingham Police Bill, 55; declares agricultural protection indispensable, 65; supports the first vote for a National Gallery, 77; his repeal of benefit of clergy, 111 *n.*; his suppression of duelling, 113; forms his second ministry, 115; his superiority to his colleagues, 116; re-elected 118; his sliding scale of duties on wheat, *ib.*; his Budget of 1842, 123; revives the income tax, 124; reforms the tariff, 124; encourages the importation of cattle and meat, 131; declines to import corn in 1842, 134; his oversight as to the income tax, 139; attacked by his own party, 140; by the Liberals, 142; intended assassination of, *see* McNaughton;

PEE

his reply to the Leaguers, 143; his royal outrages bill, *ib.*, *n.*; induces the House to reverse its vote on the sugar duty, 151; his reform of the banking system, 157; his Budget of 1845, 161; attacked by Disraeli, 169; effect of his fiscal reforms on the condition of the people, 176; his disfranchisement of the forty-shilling freeholders, 219; his Irish policy in 1829 and 1843, 226; his reply to Lord Jocelyn, 227; resolves to investigate the Irish problem, 244; expresses doubts of Morpeth's Irish railway bill, 246; turns his attention to Irish education, 247; his scheme for the endowment of Maynooth, 249; summons a Cabinet meeting to consider the potato crisis, 260; converted to free trade, 262; his declaration at the November Council, 265; resigns, 266; resumes office, 268; his colleagues ousted by the Dukes, 269; pronounces the doom of the corn laws, 272; explains his new fiscal policy, 273; his *solatium* to the landlords, 274; his speech in committee, 276; his dilemma with respect to the Irish Protection of Life Bill, 280; avows his inability to accept a compromise, 282; carries the Corn Bill, 283; and the Customs Bill, 285; defeated on the Irish Bill, 285; his final resignation, 286; predictions of his opponents falsified, *ib.*; his Budget for 1846, 292; persuades his adherents to accept Russell's Sugar Duties Bill, 294; his measures for relieving the famine in Ireland, 296; consequences of his fiscal policy to the kelp burners, 303; the right way of regarding his Bank Act, 321; his speech on the suspension of his Bank Act, 325; his measure relating to copper ore, 340; isolated from the Conservatives, 342; his followers support the Whigs, 349; his sympathy with the Irish evicts, 350; helps to pass the Rate in Aid Bill, 354; his Irish Secretaryship, 369; a constant supporter of the Russell Ministry, 374; not eager for power, 375; his death, *ib.*; his character, 376; his Church reforms, 403; ecclesiastical policy of his first ministry, 404; his attitude on the Scotch Church question, 471; his despatch of Lord Ashburton on a special mission to America, 491; his warlike language on the Oregon

PEE

dispute, 498; admired by Guizot, 501; his speech on the Tahiti outrage, 507; his defence of Palmerston's Portuguese policy, 537
Peers deprived of benefit of clergy, 111 *n.*
'Peine forte et dure,' the punishment of, 87
Pelham Ministry, treatment of the duelling question by the, 113
Pembroke, Lord, 263
Peninsular war, medals for the, 99
Perceval, Rt. Hon. Spencer, his study of prophecy, 398
Percussion-caps adopted in the army, 100
Percy, Bishop, his extra-episcopal appointments, 406
Peschiera, surrender of, 559
Petitions, revision of rules relating to, 4
Phillips, Mr., mayor of Newport, repels the Chartist insurgents, 57; is knighted and dines with the Queen, 58 *n.*
Phillpotts, Bishop, speaks against the poor law, 32; his opposition to Church reform, 403; his extra-episcopal appointments, 406; his refusal to institute Mr. Gorham, 436; his endeavours in behalf of Convocation, 439
Piedmont, granted a constitution, 545; joins Lombardy in the struggle against Austria, 557; seeks help from France, 561; renews the war, 567
Pillory, abolition of the, 73 *n.*
Pitt, Rt. Hon. W. (afterwards Lord Chatham), sugar anecdote of, 150
Pitt, Rt. Hon. W., repressive measures of, 207; a more ingenious deviser of taxes than Peel, 381
Plunket, Lord, as a parliamentary orator, 12
Pluralities Act, 410
— in the English Church, 408; in the Scotch Church, 459
Police Bill, Local, 55
— establishment of, in the counties, 79; cost of, in 1845, *ib.*
Polk, President, his defiant declaration on the Oregon question, 498
Pomare, Queen, offers the protectorate of her island to France, 503
Ponsonby, Viscount, his embassy at Vienna, 573 *n.*
Poor, condition of the, in 1837–42, 22; ignorance of the, in the mining districts, 39; exclusion of, from the parks, 78

PRO

Poor Law of 1834, 29; agitation against it, 30; the Commons debate on, in 1841, 34; concessions made on Peel's accession, 118; bill of 1842 for continuing, 191; measures amending the, 193; extended to Ireland and Scotland, 194
— the Irish, 305; out-door relief added to, 306; followed by wholesale evictions, 350; amended by Russell, 352
Pope, his verses on amber, 184
Pope, the (Gregory XVI.), his death, 541
— (Pius IX.) divides England into sees, 438; commences his pontificate by a liberal policy, 541; which displeases Metternich, 542; but is supported by Palmerston, 543; blesses the volunteers, 557; becomes reluctant in the national cause, 560; flight of, to Gaeta, 567
Population, number of, in 1842, 22; growth of, between 1815 and 1869, 288
Porter, Bishop, wealth of, 235 *n.*
Portland breakwater constructed by convicts, 86
Portland, Duke of, 275
Portugal, condition of, subsequent to 1834, 531; revolt of 1846 in, *ib.*
Post Office, Sunday deliveries by the, 445
Postage, cheap, its effect on the corn law agitation, 66 *n.*
Potato, culture of the, in Ireland, 216, 218; disease in 1845, 259; its effect on the corn law, 261; its extent in 1846, 298
Praed, Mr., his challenge of Lytton Bulwer, 109
Prendergast's 'Cromwellian Settlement' referred to, 212 *n.*
Press-gang, the, 96; discontinued, 104
Prices, lowness of, in 1842, 21; in 1849, 348
Priestley, Dr., his study of prophecy, 398
Prisoners' Counsel Bill, 88
Pritchard, Consul at Tahiti, 503; restores Queen Pomare's authority, 504; arrested by the French, 506; offers to accept an indemnity, 508
Private business in Parliament, 15
Prize-money, ratio of its distribution, 98
Prophecy, study of, its consequences, 398
Protection, effect of, on the price of corn and wheat, 60 and *n.*; com-

PRO

prehensive character of, in 1842, 124; cost of, 132
Protection of Life Bill, 277; passes the Lords, 280; introduced into the Commons by Graham, 281; deadlock caused by, 282; defeated, 285
Punishment of criminals. *See* Capital Punishment, Transportation
Pusey, Dr., takes charge of the Tractarian movement, 430

QUEEN, the. *See* Victoria

RADETZKY, worsted by the Milanese, 556; defeated at Goito, 559; reconquers Lombardy, 560; his exactions from the Milanese, 566; wins the battle of Novara, 568
Rae, Sir W., his motion for State help to the Scotch Church, 464 *n.*
Raikes, Robert, his formation of Sunday schools, 398
Railway Commission, Irish, 245
— legislation, expenditure on, 17; mania of 1846, 317
Railways, abortive proposal to construct, in Ireland, 245; increased construction of, 178; its effects upon trade, 179; modern third-class travelling by, 181; in Ireland, Bentinck's scheme for, 308; Government loan to, 309; Sunday travelling by, 444
Rate in Aid Bill, proposed by Russell, 352; passed, 354
Rationalism, rise of, 389; introduced into the English Church, 394
Rebecca riots, 231 and *n.*
Redington, Mr. (afterwards Sir) T. N., his question on Peel's Irish policy, 228; his arguments against the Arms Bill, 230; member of the Devon Commission, 255
Red Sea, steam navigation of the, 69
Reform Act, effects of the, 1; effect of, on the Church question in Scotland, 460
Reformation, the, comparable in its consequences with Constantine's conversion, 385; followed by doubt, 389
Regnier, Archduke, his flight from Milan, 556
Religious movement of the nineteenth century, its causes, 384
Religious Tract Society, establishment of, 398
Remusat, M. de, informs Louis Philippe of the Revolution, 551
Repeal agitation, revived by the

ROU

'Nation' newspaper, 223; collapses, 238
Reporting, parliamentary, 6
Revolution, French, of 1848, 549; its consequences in England and other European States, 554
Ribandmen. *See* Orangemen
Rice, Rt. Hon. Spring (afterwards Lord Monteagle), votes for a committee on the Corn Laws, 65; his attempted reform of Irish banking, 160 *n.*; his bill for the abolition of Church rates, 416
Richardson, Mr., intruded on a Scotch congregation, 457
Richmond, Duke of, revolts against Peel, 270
Riots, poor-law, 31; Chartist, 53, 57; labour, 137; Rebecca, 231 and *n.*
Ripon, Earl of, joins Peel's Cabinet, 115
Robertson, Dr., his leadership of the Moderate party in the Scotch Church, 456
Robinson, Rt. Hon. F. (afterwards Lord Goderich), his finance alluded to, 147; his relaxation of the duties protecting kelp, 303
Rochdale, distress in, 25
Roden, Lord, his question on the Repeal agitation, 227; procession of Orangemen to, 363; removed from the commission of the peace, 364
Roe, Mr., a magistrate, murdered, 325
Roebuck, Mr., his treatment of a challenge, 113; his amendments on the income tax, 128, 166; his motion on the tariff, 129; defends Peel against Disraeli, 170 *n.*; his motion against sectarian education, 198; his statement on the Sunday question, 442; threatens a singular amendment to a Sunday bill, 445 *n.*; moves a vote of approval on the Greek question, 582
Roman Catholics oppose the educational clauses of the Factory Bill, 197; emancipation of, its consequences in Ireland, 208; appointment of, to office, 213 *n.*; Relief Act of 1793, 215; repeal in 1844 of disabling statutes, 417 and *n.*
Rome, parties in, in 1846, 54; English hatred of, 398; secessions to, 430; England divided into sees for, 438; insurrection in, 567
Rossi, murder of, 567
Rothschild, Baron Lionel de, elected for the City of London, 343
Rous defeated on his appointment to the Admiralty Board, 271

Rovigo, Duc de, his severity in Algiers, 510
Russell, Lord J. (afterwards Earl Russell), his motions for an extra Government night, 6 *n.*; superior to Peel in debate, 12; his verdict on parliamentary orators, *ib.*; opposes reduction of numbers on committees, 17; sanctions the appointment of a poor-law committee, 31; moves the continuance of the poor law, 32; agrees to a concession, 35; his declaration on popular political meetings, 49; sends London policemen to Birmingham, 53; proposes the Local Police Bill, 55; votes for a committee on the corn law, 65; his bills on capital punishment, 73 *n.*; supports the voluntary enlistment bills, 104; opposes Peel's sliding scale, 120; his proposal of fixed duties rejected, 122; opposes the income tax, 127; his motion on the sugar duty, 151; fights against the sugar duties, 166; alludes to the political influence of the weather in Ireland, 190; moves for a committee on Ireland, 244; supports the Maynooth bill, 258; his Edinburgh letter, 265; summoned to form a Cabinet, 267; fails, 268; declines to support Villiers's amendment to Peel's Corn Bill, 277 *n.*; joins in the opposition to Peel's Coercion Bill, 285; succeeds Peel as Prime Minister, 290; composition of his Cabinet, *ib.*; equalises the sugar duties, 292; his measures for relieving the famine in Ireland, 297; discontinues the relief works, 299; opposes Bentinck's railway bill, 308; authorises a suspension of the Bank Act of 1844, 320; his course approved by Parliament, 325; obliged to adopt coercion, 331; his Budget of 1848, afterwards withdrawn, 339; his motion on the Jewish question, 344; rearranges the sugar duties, 345; his measures for amending the Irish Poor Law, 355; his remark on the bishops' voting, 362; his bill to extend the Irish franchise, 366; proposes to abolish the Irish Viceroyalty, 370; weakness of his Government, 371; his obligations to Peel, 374; mistrusts him, *ib.*; his Church reforms, 403; his policy towards the Tractarians, 431; his episcopal appointments in 1847, 434; his letter to the Bishop of Durham on the Papal aggression, 438; states the obligation to pay the Russian-Dutch Loan, 530; pledges non-intervention in France, 555
Russia quells an insurrection in Cracow, 528; helps the Austrians in Transylvania, 566; sends Paskievitsch against the Hungarians, 569; demands the surrender of the Hungarian refugees, 572
Ryan, Mrs., murdered, 326
— Patrick, murdered, 326
Ryder, Bishop, his extra-episcopal appointments, 406

SABBATH, the name, 440
Sailors, impressment of, 95; their proportion of prize-money, 98; establishment of voluntary enlistment for, 104
St. Asaph. *See* Bangor
St. Croix boundary dispute, 479; award of the King of the Netherlands rejected, 482; settlement of, 493; alleged discoveries of maps relating to, *ib. n.*
St. Germans, Earl, death of, 247
— (*see* also Eliot, Lord) introduces the Irish Life Bill in the Lords, 279; his speech on the Irish franchise, 367
St. James's Park, public regulations of, 78
St. Paul's Cathedral opened free to the public, 77
Saldanha, *coup d'état* of, 532; superseded, 536
Salvandy, M. de, refused an audience with the young Queen Isabella, 514
Saundry, William, flogged to death, 101
Saxe-Coburg, House of, its rising importance, 517. *See* Leopold
Schools of Design, formation of, 77
Schwarzenberg, his despatch snubbing Palmerston, 570
Scotland, privileges of the banks in, 154; Peel's alteration of the banking system in, 160; the poor law extended to, 194; Western Highlands of, 301; the kelp industry in the, 302; famine in the, 304; religious persecution under the Stuarts in, 454
Scott, Sir Walter, 13, 34; upholds the privileges of the Scotch banks, 154; his poetry referred to, 182
— W. (afterwards Lord Stowell), his bills on non-residence, 398

SCR

Scrope, Poulett, his speech on Irish evictions, 220
Search, the right of, 489; complaint of the United States Government against, 490
Selden, his defence of duelling, 105
Shakespeare's 'Antony and Cleopatra' quoted, 97
Sheffield, Lord, his treatise on wools as altered by Canning, 149 *n.*
Sheil, Richard Lalor, his comparison of Parliamentary orators, 12 *n.*; his protest against Church control of schools, 197; his Government appointment, 213 *n.*
Shepherd, Mr., expelled from Parliament for his witticism on the word Sabbath, 440
Sibthorp, Colonel, his anger with Peel, 274; insulted by Fox Maule, 109
Sicily obtains a constitution from the King, 545
Simeon, Rev. C., spiritual labour of, 397
Sinclair, G., his bill against Scotch patronage, 463 *n.*
Slave trade, the efforts to repress, 70
Smith, Adam, his defence of the navigation laws, 358; his 'Wealth of Nations' referred to, 11, 132
— Sydney, his advocacy of counsel for prisoners, 86
Smyrna, French squadron sent to, 572
Socialism, Robert Owen's scheme of, 44; repression of, 59
Society Islands annexed to France, 505
Soldiers, condition of, in the eighteenth century, 95; impressment of, abandoned, 96; first grant of medals to, 98; efforts to improve their position, 99; flogging, 100
Somers, J. P., challenges Mr. Roebuck, 113
Somerville, his compensation for improvements bill, 328; his position as Chief Secretary for Ireland, 370
Sonderbund, formation of the, 539
South-Eastern Railway scandal, 16 *n.*
Spain, state of, in 1841, 513; downfall of Espartero's government in, 516; the intrigues for the royal marriages in, 519; prepares to interfere in Portugal, 534
Spanish marriages (*see* also Leopold), the first idea of, 515; agreement between Guizot and Aberdeen on,

STO

516; intrigues of Bulwer and Bresson respecting, 519; Lord Palmerston's despatch relating to, 524; celebration of, 525; disturb the friendly relations of England and France, 528
Sparks, Jared, his alleged discovery of documents relating to the American boundary, 493 *n.*
Speculation, feverish, in 1836, 19; in 1846, 317
Spirits, consumption of, in 1849, 347
Stafford, Lord (afterwards Duke of Sutherland), sale of York House to, 76
Staffordshire, strike of the miners in, 137
Stamp Act, revision of the, 372
Stanhope (Lord) presents the Chartist petition to the Lords, 50
Stanley, Bishop of Norwich, opens his cathedral free to the public, 77
— Dean, his anecdote of Whately, 419 *n.*
— Right Hon. E. (afterwards Earl of Derby), denounces O'Connell for publishing members' votes, 8; his reform of the transportation system, 85; Colonial Secretary, 115; joins Peel's second ministry, 115; his Canada Corn Bill, 141; his views of the Irish tithe question, 210; his compensation for improvements bill, 257; splits with Peel in 1845, 266; resigns, 269; proclaims his adherence to protection in 1849, 348; defeated in his opposition to the Navigation Bill, 362; his Act forbidding party processions in Ireland, 363; his Irish Secretaryship, 369; his motion condemning British intervention in Portugal, 537; moves a vote of censure on the Greek question, 582
Steam, its effect on the import of live stock, 131 *n.*
— locomotion, development of, 69; democratic effects of, 181
Steamships, statistics of the construction of, 179
Stephens, Mr., his speech at Kersal Moor, 49; imprisoned, 51
Stephenson, George, his invention of steam locomotion, 183
— Robert, shortens communication with Ireland, 368
Stewart, Archbishop of Armagh, wealth of, 235 *n.*
Stock Exchange, course of business

on the, 313; consequences of panics on the, 314
Stockmar, Baron, finds a consort for the Queen of Portugal, 531
Strathbogie case, 469
Strauss appointed theological professor at Zurich, 538
Strelecki, Count, his testimony to the misery of Ireland, 350
Strikes of 1842, 136
Stumachi, Stellio, 576
Sugar, fluctuations in the consumption of, 293; duty, debates on the, 150, 166; equalisation of, carried by Russell, 292; re-arrangement of, in 1848, 348
Sugden, Sir Edward (afterwards Lord St. Leonards), his proceedings against the Irish magistrates, 228
Sumner, C. B., Bishop (afterwards Archbishop), his extra-episcopal appointments, 406; his opinion in the Gorham case, 437
— C. R., Bishop, his extra-episcopal appointments, 406
Sunday observance question, 440
— schools, establishment of, 398
Sunderland, income-tax meeting at, 127 *n.*; extent of distress in, 138
Sun-spot theory of financial crises, 310
Switzerland, the religious struggle in, 537; its settlement, 540
Syme, Mr., intruded on a Scotch congregation, 457

TAHITI, protectorate of, accepted by France, 504; disturbance in, 516
Talbot, Mr., M.P., denounced by O'Connell for his vote on the Coercion Bill, 7
Tangiers, bombardment of, 512
Tariff, reform of the, in 1842, 124; in 1845, 163
Tasmania, transportation to, 80
Taxation, usage excluding petitions against, abolished, 5 *n.*
Telegraph, non-electric, 182; electric, its origin and history, 183
Telescope, influence of, on thought and religion, 391
Telford, effect of his engineering works on Parliamentary business, 16; shortens communication with Ireland, 368
Temeswar, battle of, 570
Temperance movement. *See* Mathew
Ten hours' clause, 199; passed, 202

Terceira, Duc da, appointed Prime Minister of Portugal, 531; made prisoner by the insurgents, 532
Thales, his discovery of electricity, 184
Thesiger, Sir F., defeated on appointment as *Attorney*-General, 270
Thiers endeavours to stop the Revolution, 551
Thomson, Poulett (afterwards Lord Sydenham), his speech on company promotion, 19; votes against the corn laws, 63
Thouars, Dupetit, his expedition to the Marquesas Islands, 502; his proceedings at Tahiti, 503; annexes the Society Islands, 505
Thought, history of, 384
Thursdays, motions relating to, 6
'Times,' its erroneous statement of Ministerial intentions in December 1845, 266 *n.*
Tindal, Chief Justice, his judgment on Frost, Williams, and Jones, 59
Tithes in Ireland, success of the agitation against, 210
Tommaseo imprisoned, 545; released, 556
Tooke, Horne, an apostle of Chartism, 47
— Thomas, attacks Peel's Bank Charter Act, 159 *n.*; appointed chairman of the Children's Employment Commission, 37
Tools, improved manufacture of, 180
Tottenham, Bishop of Killaloe, 235 *n.*
Tower of London, reductions of fees for admission to the, 77
Townsend, W. C., his statement on duelling, 106
Tractarianism, 425; the agitation against, 431; its analogies with the Scotch disruption controversy, 475
'Tracts for the Times,' No. XC., 426
Trade, recovery of, in 1843, 146; its continuance, 176
Transportation (*see* also Convicts), origin of, 79; statistics, 80; consequences of the system, 81; cost of, 84; committees of 1837-8, *ib.*; systems of 1842 and 1847, 85; replaced by penal servitude, 86
Transylvania, the campaign in, 566
Trapani, Count de, proposed as a suitor for Queen Isabella, 519; his candidature abandoned, 520
Travelling, Sunday, Act of Charles II. relating to, 441 *n.*; by railways, 444
Treason, high, the last conviction for, 58; commutation of sentences for, 335 *n.*
Trench, Sir F., his speech against

woman suffrage, 9; placed under arrest, 108
Treviso, surrender of, 560
Trevithick, inventions of, 183
Truck system, the, 35
Tuckett, Captain, his duel with Lord Cardigan, 109
Turkey, the Hungarian refugees in, 573
Tuscany, the people obtain reforms in, 545; sides with Lombardy, 557
Twistleton, Irish Poor Law Commissioner, his resignation, 354
Tyler, President, his ungenerous treatment of Aberdeen's proposals, 497

ULSTER SYSTEM, proposed extension of, 256
Union, increase of absenteeism a consequence of the, 217; manner in which it was accomplished, 221; the agitation for the repeal of the, 222
Unitarian chapels, Act of 1844 relating to, 417 and *n.*
United States, the demand of gold for, in 1836, 156; the financial crisis of 1837 in, 157; the north-eastern boundary dispute in, 479; the affair of the *Caroline* in, 486; protest by, against the right of search, 489; the Oregon dispute in, 495
Universities, endeavours to open them to Dissenters, 415
University of London, establishment of, 415
Upshur, Secretary, his friendly attitude on the Oregon question, 497
Usury laws, 323 *n.*

VALAIS, the religious disturbances in, 538
Van Buren, President, his attitude in the *Caroline* affair, 487
Van Diemen's Land, stoppage of transportation to, 86
Van Rensselaer, occupation of Navy Island by, 486
Vancouver, Captain, his geographical discoveries, 496
Vane, Lord H., his motion for the repeal of the coal duty, 164 *n.*
Vansittart, Rt. Hon. Nicholas (afterwards Lord Bexley), his conversion of stock in 1822, 147; his protection of the kelp industry, 303
Venice, failure of the rising of 1847

in, 545; renewed insurrection in, 555
Vernon, Archbishop, death of, 434
Veto Act, the, 462
Vicenza, surrender of, 560
Viceroy, Irish. *See* Lord-Lieutenant
Victoria Park, origin of, 76
Victoria, Queen, accession of, followed by the construction of the Ladies' Gallery, 10; her speech in 1842, 118; offers to pay income tax, 127; her letter recommending subscriptions in parish churches, 131; attempts to shoot her, 142 *n.*; approves the address on the education question, 196; speeches of, in 1843, 228, 235; her explanation to Russell of the political crisis in 1845, 267; her speech of 1846, 271; her visit to Ireland, 365; saved from embarrassment by Peel's conduct in 1845, 379; visits Louis Philippe, 502; her second visit, 518; opens the Great Exhibition, 583
Vienna, revolution in, 555; second revolution in, 565
Villiers, Charles Pelham, his motions against the corn laws, 63, 65; proposes the repeal of the corn laws, 122, 174; points out the failure of Peel's Corn Law, 142; his amendment to Peel's Corn Bill of 1846, 277; refuses a seat in Russell's Cabinet, 292; elected for South Lancashire in 1847, 311
— G. W. F. (afterwards Earl Clarendon), his embassy at Madrid, 514
Vincent, Mr., a Chartist, 51; imprisoned, 56
Volta, his invention of the Voltaic pile, 186

'WAGER. of Battel,' disuse of, 105
Wages, low rates of, in 1841, 26, 35; not lowered by reducing the hours of labour, 203
Wakley, Mr., denounces the poor law, 35
Wales, Rebecca riots in, 231 and *n.*
Wales, Prince of, born, 117
Wall, Lieut.-Col., execution of, 100
Wallace, Rt. Hon. T. (afterwards Lord), his commercial reforms, 125; his reform of the Navigation Acts, 360
— Robert, his motion on the distress, 131
Walpole, Sir R., a better tactician than Peel, 381

WAL

Walter, Mr., moves for a select committee on the poor law, 31; condemns the workhouse test, 32
Ward, H. G., his motion on the Irish Church, 234
— Bishop, his extra-episcopal appointments, 406
— Rev. Mr., condemnation and secession of, 429
Warren's, Samuel, 'Miscellanies' quoted, 107
Warwick, Lord, his claim of benefit of clergy, 112 *n.*
Wason, Rigby, his affair of honour with Sir F. Trench, 109
Waterloo medal, precedent set by the, 99
Watson, Bishop, his writings against infidelity, 398
Watt, invention of, 183
Weavers (Handloom) Report quoted, 28
Webster, Secretary (afterwards President), his negotiations with Lord Ashburton, 493
Wellington, Duke of, anecdote of, 11 *n.*; defends the Poor Law Commissioners, 32; his impression of the Birmingham riot, 54 *n.*; his remarks upon military medals, 98; moral effect of his duel with Winchilsea, 107; in Peel's second Cabinet without office, 115; his reply to Lord Roden, 227; supports Peel in 1845, 266, 269; persuades the Lords to pass Peel's Corn Bill, 283; his arrangements to awe the Chartists, 336; his letter to Burgoyne on the national defences, 338; sanctions the reform of the Navigation Act, 361; his Irish Secretaryship, 369; his reply to the deputation from the Scotch Church, 464 *n.*; his regard for France, 501; present at the opening of the Great Exhibition, 584
Welsh, Michael, murdered, 326
Wesley, the religious revival of, 395
West Indies, distress in the, 345
Westmeath (Lord), his attack on Father Mathew, 225
Westminster Abbey opened free to the public, 77
— theatres, performances in Lent at, 446
Wharncliffe, Lord, joins Peel's Cabinet, 115; death of, 269
Whately, Archbishop, predicts the triumph of political economy, 12 *n.*; labours to reform the transportation system, 84; his remark on

WRA

Galileo's demonstration of the Copernican theory, 390; his share in the religious discussion at Oriel College, 419; Broad Church views of, 431; his remark on the word Sabbath, 440
Wheat, sliding scale of duties on, in 1842, 118; price of, in 1842, 134; in 1843, 146; in 1845, 261; in 1847, 319
Wheatstone, Professor (afterwards Sir) Charles, telegraphic invention of, 188
Wilberforce, Robert Isaac (afterwards Archdeacon) attracted by the Oxford movement, 422
— Samuel (afterwards Bishop), drawn to the Oxford movement, 422; his persecution of Hampden, 434, 436 *n.*; his endeavours in behalf of Convocation, 439
— William, his evangelising labours, 397; his objection to commencing the session on Monday, 443
William IV., death of, 20; his declaration on the Repeal question, 228
Williams. *See* Frost
— Mr., his motion to open the Universities to Dissenters, 402 *n.*
— Mr., rural dean, 413
Wilson, his speech on the suspension of the Bank Act, 325 *n.*
Winchilsea, Lord, his duel with Wellington, 107
Windischgrätz, invasion of Hungary by, 565
Women, petition for the enfranchisement of, 9; admitted to hear the debates, *ib.*; employment of, in mines, 37; condition of, in the convict settlements, 83; prohibited from working in mines and collieries, 194
Wood, C. (afterwards Sir C. Wood and Lord Halifax), Chancellor of the Exchequer, 291; votes for a committee on the corn law, 65; his Budget of 1847, 309; joins Russell in suspending the Bank Act, 320; his speech on the subject, 325 *n.*; his concessions on Russell's Budget, 341; his three Budgets of 1848, 342, 346, 347; his Budget of 1850, 372
Wool duty, repeal of the, 149 and *n.*
Worcester, Marquis of, inventions of, 183
Workhouses, complaints against the, 191. *See* Poor Law
Wray, Mr., pays Mr. Bonham for his vote, 16 *n.*

WYL

Wylde, Colonel, his mission to Das Antas, 533

Wynne, John, member of the Devon Commission, 255

Wyse, Rt. Hon. T., his Government appointment, 213 *n.*; his terms to the Greek Government, 578; objects to Baron Gros' terms, 580; gives offence to the French Government, 581

ZUR

YORK, DUKE, extravagance of, 76

Young, Arthur, his statements on potato culture, 216 *n.*

— Robert, nominated to Auchterarder, 464; vetoed, 465; his rejection declared illegal, *ib.*

ZURICH. *See* Strauss

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